

The HISTORICAL BULLETIN

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U. S. Government Publications Useful
for Research in American History - - 67
James V. Jones

The School Inspection Law - - - - - 85
Clarence A. Herbst

A New Letter of St. Peter Canisius - - - - 102
John Fisher

Reviews of Books - - - - - 106

Current Bibliography - - - - - 123

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The HISTORICAL BULLETIN

A Service Quarterly for Teachers and Students of History

Vol. XXXII

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No. 2

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INDEX OF BOOK REVIEWS

The Mind of the Middle Ages	106
Roger Bacon and His Search for a Universal Science	107
Medieval Ecclesiastical Courts in the Diocese of Canterbury	108
A History of the Middle Ages, 284-1500	110
Travel and Discovery in the Renaissance	111
The Earlier Tudors, 1485-1558	112
Flags of the World	113
Rendezvous with Destiny	114
The Great Frontier	115
Broadax and Bayonet	116
Red Man's America	117
Father Hecker and His Friends	118
Fort Union: New Mexico	118
Bourbon Democracy of the Middle West, 1865-1896	119
The Life of Archbishop John Ireland	119
In Charity Unfeigned	120

U. S. GOVERNMENT PUBLICATIONS USEFUL FOR RESEARCH IN AMERICAN HISTORY

JAMES V. JONES*
SAINT LOUIS UNIVERSITY

The purpose of the bibliographical compilation following is to provide for the beginning research student in American History a short annotated introduction to the source material available in U. S. Government publications. No attempt has been made at inclusiveness, and the only value claimed for the bibliography is its usefulness as an introduction to the field. The serious and advanced research student needs far more detailed information than can be found here.

It is hoped, however, that nearly all of the most widely used and basic documents are included. Except for these, which are not so large in number, the titles included in the bibliography are regarded as a sample of the more important publications of the U. S. Government through the years. Perhaps the student noting the information available in just such a sample will be induced to investigate the field more intensely. If so, the bibliography will have served its purpose.

Bibliographic aids and indexes to government publications in general have not been included in the list. Nearly all guides to the use of government documents cover these very adequately and the student by referring to the appended bibliography of such guides can discover these tools and learn of their coverage.

Mention should be made, however, of some of the types of publications made available by the government. For example the annual reports of the various executive departments are useful in disclosing the activities of the members of the Cabinet. Most older depository libraries have nearly complete runs of these reports.

The stenographic reports of the hearings which the various committees of Congress hold on pending bills and resolutions are often times prime source material. These were not made depository items until 1939, so the holdings before that date are spotty. However, many of the important ones were published as House or Senate documents and appear in the serial set.

The serial set, which is also called the Congressional set, the Congressional edition, and the Sheep set, contains a large amount

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of important documents. Beginning with the 15th Congress the Senate and House reports, documents, and journals were issued in a series. Each volume was given a running number starting with No. 1 for the Senate journal of the first session of the 15th Congress. Currently the numbers are above 11600. Much material is buried in the House and Senate documents in this set. The House and Senate reports are those reports made on bills and resolutions before Congress after they have been investigated by a committee. It is among the House and Senate documents, however, that the major items of interest appear. While the majority of the documents are routine in nature, e.g. messages of the President, messages of administrative officials in regard to a certain bill, annual reports of department heads, etc., Congress can and does designate almost anything as a document. Various organizations are required to submit an annual report to Congress—Boy Scouts of America, DAR, Veterans of Foreign Wars, etc.—and these are all issued as documents in the serial set. If a particular study or collection of papers is needed by a committee, it will be authorized and issued as a document, e.g. "A Decade of American Foreign Policy" listed in the bibliography, which was issued as a Senate Document. In these ways many items of historical interest and importance are incorporated into the serial set. Most of the separate titles appearing in the set are indexed and the various guides to government publications are quite complete in their discussion of the set and how to locate material in it.

Each department of the government has much material of interest to the historian in addition to the special types mentioned. It would be well for the student of history to become further acquainted with the various departments and the scope of their publications. For instance the Interior Department has a wealth of publications on Indian affairs; also in the Interior Department the Geological Survey, as well as the Corps of Engineers, U. S. Army, has much material on the early exploration of the West. Quite obviously any student of the labor movement would find much of value in the publications of the Department of Labor, particularly the *Bulletins* of the Bureau of Labor Statistics. The Federal Security Agency, in addition to other functions, now has all the publications on education (formerly in the Department of Interior.) The National Archives has published many valuable guides to the records in its care; the State Department issues a great deal of material on foreign

relations, etc. A study of Boyd¹ for such information would amply repay the serious student of American history.

EARLY AMERICA TO THE 15TH CONGRESS

American archives, consisting of collection of authentic records, state papers, debates, and letters and other notices of public affairs, forming documentary history of origin and progress of North American colonies, of causes and accomplishment of American Revolution, and of Constitution of Government for United States to final ratification thereof; 4th series: Documentary history of English colonies in North America from King's message to Parliament, March 7, 1774, to Declaration of Independence by United States by Peter Force. Washington. M. St. Clair Clarke and Peter Force. 1837-1846. 6v.

5th series: Documentary history of United States of America from Declaration of Independence, July 4, 1776, to definitive treaty of peace with Great Britain, Sept. 3, 1783, by Peter Force. Washington. M. St. Clair Clarke and Peter Force. 1848-1853. 3v.

American state papers: documents, legislative and executive, of the Congress of the United States. Washington. 1832-1861. 38v.

This series contains the most important executive and legislative documents of the U. S. Selected by the Secretary of the Senate and the Clerk of the House. A period commencing with 1789 and ending with dates varying from 1823 to 1838 is covered. The series is arranged in ten classes: Class 1, Foreign relations, 6v.; Class 2, Indian affairs, 2v.; Class 3, Finance, 5v.; Class 4, Commerce and navigation, 2v.; Class 5, Military affairs, 7v.; Class 6, Naval affairs, 4v.; Class 7, Post-office department, 1v.; Class 8, Public lands, 8v.; Class 9, Claims, 1v.; Class 10, Miscellaneous, 2v.

Documents illustrative of the formation of the union of the American states; selected, arranged, and indexed by Charles C. Tansill. 69th Congress, 1st Session, House Doc. 398.

A collection of documents on the origin and development of U. S. constitutional history. Its purpose is to put under one cover the most significant documents relative to the formation of the American Federal States. Greater emphasis has been placed upon the evolution of the Constitution in the Constitutional Convention of 1787 than in other volumes.

¹ Anne M. Boyd, *United States Government Publications*, rev. by Rae E. Rips (3rd ed. New York, 1949.)

Journal, acts, and proceedings of convention assembled at Philadelphia, May 14, and dissolved Sept. 17, 1787, which formed Constitution of the United States; published conformably to resolution of March 27, 1818. Boston, Thomas B. Wait, 1819.

Journals of the Continental Congress, 1774-1789. Edited from original records in the Library of Congress. 1904-1937. 34v. The most complete edition of the Journals is this set which was edited from the original manuscript and published by the Manuscript Division of the Library of Congress. A reprint which includes much illustrative material in the form of bibliographic and other notes.

The records of the Virginia Company of London, the Court book, from the manuscript in the Library of Congress; edited with an introduction and bibliography by Susan M. Kingsbury, preface by Herbert L. Osgood. Library of Congress. 1906. 4v. A result of long agitation by historians, this edition of the records of the Virginia Company was well received by reviewers. Miss Kingsbury is credited with doing a marvelous job both in the editing of the manuscripts and in her introduction. An invaluable source for the student of early American history.

Secret journals of acts and proceedings of Congress, from first meeting thereof to dissolution of Confederation by adoption of Constitution of United States, published conformably to resolution of March 27, 1818, and April 21, 1821. Boston, Thomas B. Wait, 1820-1821.

Sometimes known as the Secret Journals of the Congress of the Confederation, this publication was supposedly edited by John Quincy Adams, Secretary of State. Volume 1 contains domestic affairs, and history of confederation. Volumes 2-4 contain the papers on foreign affairs.

Secret proceedings and debates of convention at Philadelphia, 1787, for purpose of forming Constitution of United States, from notes taken by late Robert Yates, chief justice of New York, and copied by John Lansing, jun., late chancellor of that state, members of that convention, including "genuine information," laid before legislature of Maryland by Luther Martin, then attorney general of that State, and member of same convention, also other historical documents relative to Federal compact of North American Union. Washington, printed for G. Templeman, 1836.

State papers and public documents of United States from accession of George Washington to Presidency, exhibiting complete view of our foreign relations since that time, including confidential documents now first published. 2nd edition. Boston, Thomas B. Wait and Sons, 1817. 10v.

This series, sometimes known as Wait's State Papers, is much less known and less used than Gales and Seaton's later and larger one, *American State Papers*, largely because it covers but one subject, foreign relations; its arrangement is chronological with no classification, and it is insufficiently indexed.

CONFEDERATE STATES; CONGRESS OF

Journals of the Congress of the Confederate States. 58th Congress 2nd Session, Senate Doc. 234. 7v.

U. S. CONGRESS

Annals of Congress, 1789-1824. Washington, 1834-1856. 42v.

The period of Congressional activity covered by these 42v. is that of the first 17 Congresses and 1st session of the 18th Congress. As indicated by the title page, these volumes record "Debates and proceedings in the Congress of the U. S.; with an appendix, containing important state papers and public documents, and all laws of a public nature; with a copious index, compiled from authentic materials." The Annals do not contain a full report of Congressional proceedings, but sketches of the more important debates prepared by the compilers from contemporaneous records.

Register of debates in Congress, 1824-1837. Washington, 1825-1837. 14v. in 29.

The second series of the proceedings was the first to be contemporaneously reported and published. It begins with the 2nd session of the 18th Congress and continues to the end of the 1st session of the 25th Congress. No part of the proceedings is given which does not involve debate or some incident novel or important in character. The debates are not in all cases literally reported, but their substantial accuracy may be relied upon. In the Appendix attached to the last volume of each session are printed the messages of the President, the most important reports from departments of the Government and committees of Congress, and all acts passed during the session.

Congressional Globe, 1833-1873. Washington, 1834-1873. 46v. in 109.

The Congressional Globe began with the 1st session of the 23rd Congress duplicating some of the *Register of Debates* and continues to the end of the 42nd Congress. The appendixes, in addition to speeches withheld for revision and not printed in the body, contain also to the close of the 39th Congress, messages of the President and reports of cabinet officers; from the 2nd session of the 32nd Congress the text of the laws, and to the 1st session of the 37th Congress, a detailed statement of the appropriations made during each session.

Congressional Record, 1873- . Washington, 1874- .

The first series of proceedings to be officially reported, printed, and published directly by the Government under the act of March 3, 1873. It began with the 43rd Congress and continues to the present time.

Journals of the House and of the Senate. 1789- .

Each house of Congress publishes a journal for each session, which show all official action, but contain no speeches. Those for the first 15 Congresses were issued separately, but since then come as a part of the serial set.

Compilation of Senate election cases from 1789-1913, by Charles A. Webb and Herbert R. Pierce. 62nd Congress, 3rd Session, Senate Doc. 1036.

Reprints of Committee reports, proceedings, and debate in Congress.

Extracts from the Journal of the Senate in all cases of impeachment, 1798-1904. 62nd Congress, 2nd Session, Senate Doc. 876.

CONSTITUTION

The Constitution of the United States of America, analysis and interpretation, annotations of cases decided by the Supreme Court of the United States to June 30, 1952. Edited by Edward S. Corwin. 1953. 82nd Congress, 2nd session, Senate Doc. 170. A new revision of this important compilation. The last previous edition was issued in 1938 as Senate Doc. 232, 74th Congress, 2nd session.

Connecticut and the first ten amendments to the federal constitution, by Thomas H. LeDuc. 1937. 75th Congress, 1st Session, Senate Doc. 96.

Documentary history of the Constitution of the United States of America, 1786-1870. Department of State, 1894-1905. 5v. *Federal constitutional convention, 1930*. 71st Congress, 2nd Session, Senate Doc. 78.

A compilation showing the applications made from time to

time to the Senate by the legislatures of various states for the calling of a constitutional convention for the purpose of proposing certain amendments to the Constitution of the United States.

History of the formation of the Union under the Constitution, with liberty documents and report of the Commission. Constitution Sesquicentennial Commission, 1941. 885p.

Contains portraits and sketches of the signers of the Constitution, alphabetical analysis of the Constitution, a record of the celebration of the Constitution Sesquicentennial, Constitution cartoons, etc.

Massachusetts and the first ten amendments to the Constitution, by Denys P. Myers. 1936. 74th Congress, 2nd Session, Senate Doc. 181.

Proposed amendments to the Constitution of the United States, introduced in Congress, December 4, 1889-July 2, 1926. 1926. 148p. 69th Congress, 1st Session, Senate Doc. 93.

Biographical directory of American Congress, 1774-1949, Continental Congress, Sept. 5, 1774-Oct. 21, 1788, and Congress of the United States, from 1st to 80th Congress, March 4, 1789-Jan. 3, 1949. Compiled by James L. Harrison. 1950. 81st Congress. House Document 607.

Includes lists of the cabinet officers under each administration and of the members of each Congress arranged by state, in addition to the biographies in one alphabet of all members of Congress from the beginning of our national history. Biographies are similar to those published currently in the Congressional Directory. Revision of Directory of United States Congress and general Government, published in 1859 and again revised in 1869, by Charles Lanman, Biographical annuals of civil government of United States in 1876, by Charles Lanman and James Anglim, and Lanman edition of 1876 as corrected by Joseph M. Morrison in 1887, Political register and congressional directory of 1878, by Ben Perley Poore, Biographical congressional directory of 1903, by O. M. Enyart, Biographical congressional directory in 1911, and Biographical directory of American Congress of 1927, by Ansel Wold.

Heads of families at the first census, 1790. Bureau of the Census, 1907-1909. 12v.

Volumes for 12 different states are available and include full names of all heads of families enumerated. Very useful for genealogical reference.

Official register of the United States, 1816- . Civil Service Commission.

Annual classified lists by departments showing the principal officials in the legislative, executive, and judicial branches of the government. Does not include officials of the Army, Navy, Marine Corps, and Postal Service.

Register of the Department of State, 1869- . Department of State.

Issued annually. Includes biographical sketches of officials and employees besides the usual directory information such as organization of the department, etc.

United States government organization manual. Division of the Federal Register, National Archives, 1939-

The official organization handbook of the Federal Government. It contains sections descriptive of the agencies in the legislative, judicial, and executive branches. Supplemental information following these sections includes (1) brief descriptions of quasi-official agencies and selected international organizations, (2) charts of the more complex agencies, and (3) appendixes relating to abolished or transferred agencies and to governmental publications.—Introduction.

FOREIGN AFFAIRS

Damages in international law, by Marjorie M. Whiteman. Department of State. 1937-1943. 3v.

Material on bases of damages, arrest, detention, imprisonment, personal injury, and property.

A decade of American foreign policy; basic documents, 1941-1949. 1381p. 81st Congress, 1st Session, Senate Doc. 123.

From foreword: Documentary background information concerning American foreign policy ought to be readily available to every member of the Congress. To this end the Senate Committee on Foreign Relations has brought together in a single volume the more important international instruments and official statements which have a bearing upon our foreign policy as it has evolved during the past decade . . . The volume makes no pretense at being all-inclusive. In the main those documents have been included which the Congress is most likely to need in its deliberations on foreign policy.

Digest of international law, by John Bassett Moore. Department of State. 1906. 8v.

This digest sets forth the generally recognized codes of international law.

Digest of international law, by Green H. Hackworth. Department of State. 1940-1944. 8v.

This is a supplement to the *Digest of International Law* by Moore noted above.

Documents on German foreign policy, 1918-1945, from the archives of German Foreign Ministry. Department of State, 1949.

Also issued in an edition with the original German text.

Guide to the diplomatic history of the United States, 1775-1921, by S. F. Bemis and G. G. Griffin. Library of Congress. 1935.

Lists official government publications, secondary sources, collections of manuscripts, and journals of the United States and foreign countries.

List of recent books on foreign relations of the United States. 1940. Library of Congress.

Papers relating to the foreign relations of the United States, 1861-. Department of State.

Popularly cited as *Foreign Relations*; issued in place of an annual report of the State Department, these volumes are an annual collection of official papers relating to the foreign relations of the United States.

General index to the published volumes of the diplomatic correspondence and foreign relations of the United States, 1861-1899; 1900-1918. Department of State. 2v.

Papers relating to the foreign relations of the United States: Japan, 1931-1941. Department of State, 1943. 2v.

Papers relating to the foreign relations of the United States; the Lansing papers, 1914-1920. Department of State, 1939-1940. 2v.

An extensive selection from the correspondence of Robert Lansing, former Secretary of State, chiefly from the period of World War I, along with a number of closely related documents from other official sources.

Papers relating to the foreign relations of the United States, 1919: the Paris Peace Conference. Department of State, 1942-1946. 11v.

Peace and war; United States foreign policy, 1931-1941. Department of State. 1942. 144p.

With documents, 1943. 874p.

An introduction to a collection of documents concerning the foreign relations of the United States during the years 1931-1941.

Policy of the United States toward maritime commerce in war.

Department of State, 1934-1936. 2v.

Vol. 1. 1776-1914.

Vol. 2. 1914-1918, with documents.

Reports of the Senate Committee on Foreign Relations, 1789-1901. 56th Congress, 2nd Session, Senate Doc. 231.

United States relations with China, with special reference to the period 1944-1949, based on the files of the Department of State. Department of State, 1949.

The famous "white paper" on China of 1949.

JUDICIARY

United States Reports, 1790- . Philadelphia, Washington 1790-

The decisions and opinions of the Supreme Court of the U. S. Volumes 1-90 are usually cited by their reporter: Dallas, v. 1-4; Cranch, v. 5-13; Wheaton, v. 14-25; Peters, v. 26-41; Howard, v. 42-65; Black, v. 66-67; Wallace, v. 68-90.

LAWS, STATUTES, REGULATIONS, ETC.

Code of Federal Regulations, 1949 edition; containing a codification of documents of general applicability and future effect as of December 31, 1948. National Archives, Federal Register Division. Fifty titles in forty-four volumes.

This latest codification of regulations will be kept up to date by annual pocket supplements.

Federal Register, 1936- . National Archives, Federal Register Division.

Issued daily (except Sunday and Monday). Contains:

- (1) All Presidential proclamations and Executive orders of general applicability and legal effect, and announcements of important rules and regulations of the Federal agencies.
- (2) Such documents as the President determines to have general applicability and legal effect.
- (3) Documents which are required so to be published by act of Congress.

Laws of the United States, 1789-1845. Rioren and Duane edition. Department of State, 1815-1845. 10v.

A long and interesting note concerning this printing of the laws of the U.S. appears in the *Checklist of U.S. documents*, p. 964.

Statutes at large, 1789- . Federal Register Division. National Archives.

This current set of U.S. Statutes was started in 1845 by Congressional resolution. For an interesting bibliographical and historical note see the *Checklist of U.S. documents*, p.965-66.

MANUSCRIPTS — BIBLIOGRAPHY

Calendar of manuscripts in Library of Congress, compiled by Herbert Friedenwald. 1901.

Calendar of correspondence of George Washington with Continental Congress, from original manuscripts in Library of Congress, by John C. Fitzpatrick. 1906.

Calendar of the correspondence of George Washington . . . with the officers, prepared by John C. Fitzpatrick. 1905. 4v. with index.

Calendar of correspondence of James Madison. Supplement, index to calendar of correspondence of James Madison. Department of State, 1895.

Calendar of correspondence of James Monroe. New edition with corrections and additions. Department of State, 1893.

Calendar of correspondence of Thomas Jefferson: pt. 1, Letters from Jefferson. Department of State, 1894.

Calendar of correspondence of Thomas Jefferson: pt. 2, Letters to Jefferson. Department of State, 1895.

Calendar of correspondence of Thomas Jefferson: pt. 3, supplementary. Department of State, 1903.

Calendar of John Paul Jones manuscripts in the Library of Congress. 1903.

Calendar of the papers of Martin Van Buren, prepared from the original manuscripts in the Library of Congress by Elizabeth H. West, 1910.

Catalogue of papers of Continental Congress; Miscellaneous index. Department of State, 1893.

Catalogue of records of territories and states. Department of State, 1895.

List of Benjamin Franklin papers in Library of Congress. 1905.

List of Vernon-Wagner manuscripts in Library of Congress; by John C. Fitzpatrick. 1904.

Papers of James Monroe, listed in chronological order from original manuscripts in Library of Congress, by Wilmer R. Leech. 1904.

MILITARY HISTORY

American armies and battlefields in Europe; a history, guide, and reference book. American Battle Monuments Commission, 1938.

A concise reference book on the accomplishments of the American expeditionary forces in Europe during World War I.

Military policy of the United States, by Emory Upton. War Department, 1907. 495p.

A history of the military policy of the U.S. from 1775 through the Civil War.

Naval documents related to the quasi-war between the United States and France; naval operations from February 1797 to December 1801. Office of Naval Records and Library, 1935-1938. 7v.

These volumes contain much hitherto unpublished documentary material related to the organization of our naval forces, the establishment of bases in the Caribbean area, and operations incident to the protection of American commerce.

Naval documents related to the United States' wars with the Barbary Powers. Office of Naval Records and Library, 1939-1945. 6v.

Naval records of the American revolution, 1775-1788, prepared from originals in Library of Congress by Charles H. Lincoln. Library of Congress, 1906.

Official records of the Union and Confederate navies in the War of the Rebellion. Office of Naval Records and Library, 1894-1914. 30v.

This series embraces the reports, orders, and correspondence, both Union and Confederate, relating to all naval operations during the Civil War.

The U.S. Army in the World War, 1917-1919. Department of the Army, Historical Division, 1948- .

The purpose of this series is to present a representative selection of the records of the American Expeditionary Forces in World War I, which are essential to a critical study of the history of that war. There are now 17 volumes published. Preface to vol. 1 gives a complete summary of objectives and scope.

United States Army in World War II. Department of the Army, Historical Division, 1947- . 99v.

A comprehensive account of the activities of the Military Establishment during World War II. There are to be thirteen

sub-series and a total of ninety-nine volumes. The first volume gives a brief account of the purpose and scope of the series and of the tentative list of series and volumes. For further information see also:

Mississippi Valley Historical Review, 34:443-452, December 1947.

War of the Rebellion; a compilation of the official records of the Union and Confederate Armies. War Department, 1880-1901. 72v. in 4 series.

Includes correspondence, orders, and other documents. There is a general index to the entire set and an atlas.

PRESIDENT OF THE U.S.

Catalogue of the library of Thomas Jefferson. Compiled with annotations by E. Millicent Sowerby. Library of Congress, 1952-. 5v.

The Compiler's Preface states that the catalogue is "an essay at a bio-bibliography of the books sold by Jefferson to Congress in 1815, which formed the nucleus of the present collections of the Library of Congress." The compilation has taken eight years and is a marvelous piece of work. The volumes themselves are good examples of fine book production.

A compilation of the messages and papers of the Presidents, 1789-1897, by James D. Richardson. U.S. Congress. Joint Committee on Printing, 1896-1899. 10v.

Brings together a fairly adequate collection of Presidential messages and papers, but is far from being complete. In addition to the set, several commercially printed ones are available with supplements.

The economic report of the President transmitted to the Congress, 1947-

The semi-annual report to the Congress on the economic condition of the nation. The report is made in January and July. The annual economic report of the Council of Economic Advisers is also included.

Inaugural addresses of the Presidents of the United States from George Washington 1789 to Harry S. Truman 1949. 1952. 82nd Congress, 2nd Session, House Doc. 540.

A complete collection of inaugural addresses compiled from research volumes and State papers by the Legislative Reference Service, Library of Congress. No other one volume collection of such addresses exists.

Veto messages; record of bills vetoed and action taken thereon by the Senate and House of Representatives, 51st Congress to 75th Congress, inclusive, 1889-1938. U.S. Congress. Senate. Office of Secretary. 1938.

Veto messages of Presidents of the United States, with the action of Congress thereon (1792-1886), compiled by Ben P. Poore. 1886. 49th Congress, 2nd Session, Senate Misc. Doc. 53.

STATISTICS

Catalog of U.S. Census Publications, 1790-1945. Prepared by Henry J. Dubestor. Bureau of the Census. 1950.

Catalog and index of all publications of the Bureau of Census. It is being kept up to date by a monthly "Catalog and Subject Guide" which is cumulated quarterly and annually.

Historical statistics of the United States, 1789-1945. A supplement to the statistical abstract of the U.S. Prepared by Bureau of the Census with cooperation of the Social Science Research Council. Bureau of the Census, 1949.

From introduction:

Designed to serve two immediate needs;

- (1) To bring together for the convenience of users of statistics the historical series of wide general interest.
- (2) To provide, through brief descriptive text and precise source notes, a guide to the types of historical data available, so as to inform the user where further data can be obtained.

Statistical abstract of the United States, 1879- . Bureau of the Census.

Presents, in condensed form, statistics regarding the commerce, production, industries, population, finance, currency, indebtedness, and wealth of the country.

TERRITORIES

Organic acts for the territories of the United States with notes thereon, compiled from the Statutes at Large of the United States; also appendixes comprising other matters relating to the government of the territories. 1900. 56th Congress, 1st Session, Senate Doc. 148.

A compilation of the acts providing for the creation of territories.

Territorial papers of the United States. National Archives and Records Service. 1934- .

Consists of texts of the official records of some 30 states of

the Union, during their territorial periods, arranged in the order of the creation of the territories. In process of publication, will consist of some 30 volumes when completed.

TREATIES

Treaties and other international acts of the United States of America; edited by Hunter Miller. Department of State, 1931-

Complete and literal copies of the texts, in chronological arrangement, of all treaties and other acts of the U.S. of an international character which have at any time gone into force, whether now in force or not. In process of publication, there are now 8 vols. of a proposed 15.

Treaties and other international act series. No. 1501- . Department of State, 1946-

The official texts of treaties and other agreements formerly published in the *Treaty Series* and *Executive Agreement Series* both of which are now discontinued.

Treaties, conventions, international acts, protocols, and agreements between the United States of America and other powers, 1776-1909, compiled by William M. Malloy. 1910. 2v. 61st Congress, 2nd Session, Senate Doc. 357.

1910-1923, compiled by C. F. Redmond. 1923. v.3. 67th Congress, 4th Session, Senate Doc. 348.

1923-1937, compiled by E. J. Trenwith. 1938. v.4. 75th Congress, 2nd Session, Senate Doc. 134.

This is one of the most useful complete compilations of U.S. treaties. It includes all except Indian treaties and postal conventions. Although only the first two volumes were compiled by William M. Malloy, v. 3-4 are often cited as Malloy, v. 3 and 4. The treaty tables and index contained in v. 4 cover the entire period from 1776-1937.

Treaty information bulletin. Department of State, 1929-1939. Issued monthly. Discontinued June 1939, the information now being published in the Department of State Bulletin.

Treaty series, 1795-1946, nos. 1-994. Department of State.

Official texts of treaties and conventions published in chronological order as they were proclaimed by the President. The numbering on the pamphlets of the series begins with 489 (1905), previous numbers having been assigned to the earlier issues after publication. Discontinued in 1946. SEE, "Treaties and other international acts series."

United States Treaties and other international agreements. Department of State, 1952- .

A new compilation of U.S. treaties and other international agreements. The series starts with 1950 and will be a continuing publication. By Act of Congress, publication in this series shall be legal evidence of the agreements. Text is in English and other languages.

TREATIES — BIBLIOGRAPHY

Catalogue of treaties, 1814-1918. Department of State, 1919.

Contains a chronological list of treaties and an index by countries. Tells in what language each treaty is printed and where the printed text may be found.

Treaties and conventions concluded between United States and other powers since July 4, 1776 . . ., by John H. Haswell. Department of State, 1889.

WASHINGTON, D.C.

Washington, the national capital, prepared by H. P. Caemmerer. 1932. 71st Congress, 3rd Session, Senate Doc. 332.

A history of the development of Washington, with many fine illustrations. Bibliographical list of books on Washington, the national capital, p. 721-722.

Thomas Jefferson and the national capital, containing notes and correspondence exchanged between Jefferson, Washington, L'Enfant, Ellicott, Hallett, Thornton, Latrobe, the Commissioners and others relating to the founding, surveying, planning, designing, constructing, and administering of the City of Washington, 1783-1818. Preface by Harold L. Ickes, ed. by Saul K. Padover. U. S. National Park Service, Source Book Series, No. 4, 1946.

MISCELLANEOUS

Annual report of the American Historical Association, 1884- .
Smithsonian Institution.

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THE SCHOOL INSPECTION LAW

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Bismarck's aim in life was the unification of the German States under Prussian leadership. He considered military victories over Austria and France essential for this. He defeated them in 1866 and 1870. Now he was free to turn his attention to the great internal opponent, the Catholic Church, to him un-German, unnational, unpatriotic. A detailed program against it, envisaged already in May, 1870,¹ drew nearer and nearer to realization in the refusal of the new Germany to intervene in behalf of the Pope and to write guarantees of religious freedom into its Constitution, by bitter hostility to the Center party and the suppression of the Catholic Division in the Ministry of Worship, and by a penal law against the free use of the pulpit. All this was in 1871. The Kulturkampf, the long and bitter war waged within the German Empire against the Catholic Church, was at hand.²

Heinrich von Mühler, Minister of Worship in Prussia, presented Bismarck in October of the same year with a schema dealing with education, marriage, ecclesiastical government and the Jesuits in a way that the Church would certainly oppose.³ Even the Liberals were astonished at the radical demands of this

¹ "The field on which the war will be carried on is not hard to indicate: endless strife in the election of bishops and consequent long vacancies of sees, expulsion of the Jesuits, restrictions on individual freedom with regard to monastic Orders, prohibition for the clergy to study in Rome and, above all, the setting aside of all ecclesiastical influence in the schools." These words of Count von Arnim, Berlin's Representative in Rome, to a certain bishop, may be found in *Collectio Lacensis: Acta et Decreta Sacrorum Conciliorum Recentiorum, Auctoribus Presbyteris S.J. e Domo B.V.M. sine Labe Conceptae ad Lecum, Friburgii Brisgoviae, Sumptibus Herder, 1870-1890*, 8 volumes, 7, 1605.

² A first-rate sketch by a great leader in the conflict is given by A. Reichensperger, "The Religious movement in Germany and the *Fraction du Center* in the German Parliament" in *The Catholic World*, 14 (1872), 269-278. The best brief supplement to this will be Heinrich Brück, *Geschichte der katholischen Kirche in Deutschland im neunzehnten Jahrhundert*, Münster i.W., Aschendorffschen Buchhandlung, 1902-1908, 4 volumes in 5 parts, 2. ed (Kissling), 4, 1, 100-115.

³ Cf. Joannes B. Kissling, *Geschichte des Kulturkampfes im Deutschen Reiche*, Freiburg im Breisgau, Herdersche Verlagshandlung, 1911-1916, 3 volumes, 2, 47.

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"Conservative." More specifically, he elaborated⁴ a School Inspection Law and took it before the House of Representatives December 4. It would occupy the front of the stage for the next few months. Henceforth, the bill stated, the appointment and authority of school inspectors belongs to the State alone.

Von Mühler, pastor, professor, an honest man and an earnest Protestant Bismarck did not like. The latter was an "armchair" Christian,⁵ whereas von Mühler thought the church should be represented in the public life of the State. Although he had allowed himself to be forced into a hostile position with regard to Catholics in recent months, had taken under his protection priests remiss in their duty and had been implicated in the suppression of the Catholic Division, the Catholics still hoped something from him.⁶ Because they could, and because he was an orthodox Protestant, the Liberal majority hated him. His days were numbered. Back in 1869, on November 19, Representative Ziegler had exclaimed in the House: "With this man, argument doesn't help. This Minister von Mühler must go." In February, 1870 von Mühler had asked for his dismissal, but King William would not hear of it: at which Bismarck made no secret of his displeasure. For at that time the Chancellor was veering round towards the Liberals, "speaks as a Conservative with the Conservatives and as a Liberal with the Liberals" the Minister of War, von Roon, wrote. By the end of 1871 disorganization among the Conservatives was growing greater and greater, and Bismarck showed himself prepared to desert the monarchical-Christian principle he had stood by so long. Part of the price he must pay for his swing to the Left would be giving up his Minister of Worship.⁷ The Liberals went so far as to state that they would not vote for the school law if von Mühler proposed it.

This state of affairs Bismarck represented to William and obtained, January 5, 1872, a royal order inviting von Mühler to hand in his resignation. Even the Conservatives didn't want him

⁴ But Bismarck, no doubt, was behind it. Already November 4, 1869, von Mühler had brought into the Prussian Landtag an Education Bill for state direction of schools, but the events of the War of 1870 smothered it. Cf. Brück, *op. cit.*, 3, 462.

⁵ On Bismarck's religion cf. Georges Goyau, *Bismarck et l'Eglise*, Paris, Perrin et Cie., 1911-1913, 4 volumes, 1, 1-27. He said he would like best a Jew as Minister of Worship. Cf. *ibid.*, 221.

⁶ Cf. Otto Pfülf, *Hermann v. Mallinckrodt*, Freiburg im Breisgau, Herdersche Verlagshandlung, 1901, 340.

⁷ Cf. Brück, *op. cit.*, 4, 1, 193ff.

any more. This same day Blankenburg, one of them, said: "We want another leader in the Ministry of Worship." The majority party Committee passed a resolution that von Mühler's law was good in principle but must have changes, and that its execution could under no circumstances be committed to him. On January 11 the three leaders Bennigsen, Lasker, and Hennig were long in conference with Bismarck to determine how they might get the parties together to vote "no confidence" in the *Kultusminister*.⁸ The same day Bismarck handed the King's note, which he had kept in his pocket the while, to him. January 12 von Mühler respectfully proffered his resignation, and on the following day a note came to the House: "Number 4 Unter den Linden is empty; peace to his ashes!" The Liberals were glad.

January 14 they returned to the attack. But William hesitated. His wife, the Empress Augusta, was a pious woman and had great influence on him. The pious Adelheid, Mühler's wife, was her friend. The Emperor had his religious scruples. But just then an appointment which von Mühler made irritated him. He accused his Minister of disloyalty and accepted his resignation. Heinrich von Mühler handed over his portfolio and left the Ministry of Worship January 17, 1872.⁹

For a little while Bismarck thought his friend Alexander Keyserling might do as a successor. The Liberals in the press promoted Baden's Julius Jolly. But they were really jubilant when Adalbert Falk was actually appointed January 22, 1872. Here was the man "cut from different wood" that they had desired. Falk was forty-five, had been a member of the Landtag since 1861 and of the Reichstag since 1867,¹⁰ was a hard worker, an armchair Protestant with something of a Free-Mason's outlook, a jurist who knew well enough the text of the law but not the historical precedents of his new office nor the social repercussions his religious policy might have. He was a man after Bismarck's own heart in upholding the Hegelian thesis of the omnipotence of the State and believed he would render it a singular

⁸ Cf. Ed. Hüsken, *Ludwig Windthorst*, Cöln, J. P. Bachm, 1911, 103ff.

⁹ Goyau, *op. cit.*, 1, 222ff. But January 21 is the wrong day.

¹⁰ For the system of government of the German Empire and Prussia's place in it, cf. Frederic Austin Ogg, *The Governments of Europe*, New York, The Macmillan Company, 1920, 608-675, or any other standard work on European governments. A laconic explanation is given by Joseph Schroeder, "The 'Impregnable Fortress'—Prince Bismarck and the Centre Party" in *The American Catholic Quarterly Review*, 15 (1890), 392ff.

service by the *Kampf gegen Rom*. With his appointment the break between the Ministry and the Old Conservatives became clear. The historian Treitschke was on hand to present him a neat outline of his new duties: regain the ground taken by the Church since 1848; reestablish the rights of the State in the schools; bring back the tradition of Frederick William III in art and science.¹¹ But King William liked to see Falk come even less than he liked to see Mühler go.

A big debate on equality opened in the Prussian House of Representatives January 30. Mallinckrodt again criticized the suppression of the Catholic Division in the Ministry of Worship of the preceding July. Now that Ulrich and Linhoff were the only two Catholic members out of twelve in the newly-constituted Ministry, although in Prussia there were 8,000,000 Catholics to 16,000,000 Protestants,¹² the glaring inequality in representation should be apparent. Windthorst spoke along the same lines.

They (the Catholics) do not sit in the Cabinet nor in the Ministries; they are as little represented in proportion to population on the deliberative committees as in the Government . . . The recent hostile attitude of the Government towards Catholics is a breaking away from former Prussian tradition. Surely the other side will say the Catholics are beginning the fight. I wish for nothing more than that we come finally to let ecclesiastical discussion out of our meetings so that we could work together in quiet and peace at building the house in which we surely want to live together, the house which is big enough to allow us all to move around freely . . .

Holland had a Catholic Minister alongside the Protestant one. In Austria, where there were 17,000,000 Catholics and only 300,000 Protestants, there was not only an Evangelical Division in the Ministry but an Evangelical Division of Education as well.

The debate ran on into the next day. Bismarck spoke forcefully against the Center party.

¹¹ Goyau, *op. cit.*, 225ff.

¹² *Civiltà Cattolica*, V Eighth Series (December 1871-March 1872), 500. This is a general estimate. There were in the whole of the German Empire in 1871 14,869,292 Catholics, 25,581,685 Evangelicals, 82,158 other Christians, 512,153 Jews, all others 17,156. Ed. Franz, "Deutsches Reich", in *Staatslexikon*, Herdersche Verlagshandlung, Freiburg im Breisgau, 1901-1904, 5 volumes, 1, 1349-1440, 1413.

I consider it one of the greatest monstrosities in politics that a confessional party should put in its appearance in a political gathering. . . . The gentlemen of the political persuasion of the former speaker made a great political mistake in founding this party at all. A purely confessional party on purely political grounds, and they forced their co-religionists from the various parties to join up with them through the influence which they wielded. . . . I asked myself, will this quarrelsome corps ally itself with the Government, will it be willing to help it or will it attack it. . . .¹³

It was a long speech, and in it Windthorst came in for his share of abuse. When it was over, he answered, saying among other things:

If the honorable president of the Ministry assumes that every attack on his measures and on his policy is an attack on the State, on this or that point he may be right; but, Gentlemen, I take the liberty to assume that the honorable president of the Ministry is not yet the State. I can be a devoted member of the State and of the fatherland and yet in my innermost conscience find myself forced to oppose many a measure, and, indeed, oppose it energetically, which the honorable president of the Ministry thinks good to introduce. That has been true in every State. It has been true especially in England, and no Minister in England has yet ventured to say that when one opposes his measure he opposes the State.

As to the charge that the Center was a confessional or religious party, i.e., one composed exclusively of Catholics to defend merely religious interests, Windthorst said: "The Fraction of the Center, to which I belong, is no religious party. Its program has been publicized. We have invited everyone who will and can to accept its principles, and whoever comes to accept them, we welcome, no matter to what religion he belongs."¹⁴ And Mallinckrodt, carefully explaining on this same occasion the program and position of the party, said: "We have told you three times, four times: we not only are not a religious party, but we do not want to be one. We are not that in the principles of our program, we are

¹³ Hüsgen, *Windthorst*, 105ff. This was but the beginning of a parliamentary duel between Windthorst and Bismarck that was to last fifteen years. It is well represented *ibid.* 114-120.

¹⁴ M. Erzberger, *Das Deutsche Zentrum*, Amsterdam, Internationale Verlagsbuchhandlung MESSIS, 1910, 28.

not that in fact. For it is well known that we have Protestant members in the Reichstag."¹⁵

Meanwhile petitions against the proposed School Inspection Law came pouring into Berlin. There were over 2,000 of them with more than 200,000 signatures: 1462 petitions from Catholics (among them the assembled bishops of Prussia) and 861 from Protestant circles.¹⁶

We must keep before us the text of the law and the articles of the Constitution in question in order to understand what follows. The law ran:

We, William, by the grace of God King of Prussia, etc., ordain, for the carrying out of Article 23 of the Constitution of January 30, 1850, with the approval of both Houses of the Landtag, for the whole of the Monarchy, as follows:

1. With the revocation of all contrary provisions in every part of the Land, the inspection of all public and private institutions of education and instruction pertains to the State.

Accordingly, all the authorities and officials engaged in this inspection are commissioned by the State.

2. The appointment of local and district school inspectors and the delimitation of their authority rests with the State.

The commission given by the State to the inspectors of the folkschools, in so far as they exercise this office as a secondary or honorary one, is revocable at any time.

All provisions to the contrary are abrogated.

3. Undisturbed by this law remains the participation in school inspection pertaining to parishes and their functionaries as contained in Article 24 of the Constitution of January 31, 1850.

4. The Minister of spiritual, educational, and medical Affairs is commissioned with the carrying out of this law.¹⁷

¹⁵ Pfülf, *Mallinckrodt*, 343. This question as to whether the Center was a religious or confessional or denominational party or not is discussed at length in Erzberger, *op. cit.*, 26-44 and in Hüsgen, *op. cit.*, 88-99.

¹⁶ Pfülf, *Mallinckrodt*, 340, 341. The number would vary, of course, if one did not consider it worth the trouble to count the petitions from Poland.

¹⁷ This is the law as finally formulated and signed by the King March 11, 1872. The full text is given in Kissling, *Geschichte de Kulturkampfes*, 2, 460, 461. A preliminary draft with reasons for the bill as presented by v. Mühler in December, 1871, is in Paul Majunke, *Geschichte des "Culturkampfes" in Preussen-Deutschland*, Paderborn und Münster, Ferdinand Schöningh, 1886, 211, 212.

The clauses of the Constitution touching education are:

Art. 20. Science and its teaching are free.

Art. 21. A sufficient number of public schools must be provided for the education of youth. Parents and guardians shall not leave their children or wards without the instruction which is prescribed for the public schools.

Art. 22. Any one who has given proof of his moral, scientific, and technical qualifications to the proper authorities is at liberty to teach and to erect institutions of learning.

Art. 23. All public and private educational institutions are subject to supervision by officials appointed by the state.

Public teachers have the rights and duties of servants of the state.

Art. 24. When public schools are to be erected, existing denominational conditions are to be given the greatest possible consideration.

The respective religious bodies direct the religious instruction in the public schools.

The civil community must look after the material interests of the school. The community cooperates with the state in the appointment of the school teachers.

Art. 25. The burden of erecting, maintaining, and enlarging the school buildings falls on the community; in cases of proven inability the state grants subsidies.

The state accordingly guarantees to the teacher a fixed income proportioned to local conditions.

In the public schools instruction is given gratis.

Art. 26. A special law is to regulate the whole school system.

Art. 112. Until the passage of the law provided for in

Art. 26 the existing laws and regulations relating to schools and teaching shall remain in force.¹⁸

Discussion on the school bill began February 8. The Liberal preacher Richter, the first speaker in the general debate, said it was intolerable that Rome should have the last word as to what should be taught in the Catholic folkschools which were state schools, that German people of Catholic persuasion should be subjected in their spiritual training to a foreign sovereign, a Roman authority. Virchow, the professed atheist, said the Cath-

¹⁸ George Metlake, "How the Public-School System in Germany Safeguards the Rights of Individual Conscience" in *The American Ecclesiastical Review*, 44 (1911), 264-283, 227, 278. Carl Mirbt, *Quellen zur Geschichte des Papsttums und des Römischen Katholizismus*, Tübingen, J. C. B. Mohr (Paul Siebeck), 1924, 444, 445 gives other provisions of the Prussian Constitution of January 31, 1850, regarding religion.

olic Church no longer had a cultural mission. He lined up statistics and denounced the deficiency of Catholic education. Lasker, a Jew, said all rights derive from the State alone and therefore would take up the fight against those who put themselves outside the State or who wanted to make laws for it. These reasonings prompted the *Kulturkämpfer* to accept the measure, though it meant a dictatorship of the Ministry.¹⁹ Against the proposed law was Peter Reichensperger, who, referring to Virchow, said: "He has in view, or at least will wind up with, a school without God." Brüel, a Protestant from Hannover, insisted that it was a pagan law. Another prominent Conservative Protestant, Strosser, fought the law too. Windthorst well expressed the mind of the opposition when he stated:

Education without religion is impossible, religious principles must permeate everything. If you throw the Church out of the school, who will take over religious education? Does the State know how to do this, has it the means to do it? If you think that, I should have to ask you first for the new State catechism. A state that has neither the ability nor the organs for giving religious education necessarily becomes, if it excludes the Church as it here does in principle, a non-confessional, an unreligious, a heathen State. It becomes a State without God, or itself becomes God here on this earth. Whether the German people will be satisfied with that I have my doubts. I shall hold fast to the monarchical-Christian principle in the State. Even though the majority or Minister of Affairs determine otherwise, still I shall fight for the principle, so long as life is left in me and the law allows it.²⁰

On the second day, February 9, Bismarck, Falk, and Gneist defended the bill. Bismarck's arguments were attacks against the Center, Poles, and Welfs, with especially sharp and personal attention to Windthorst. He blamed the Center for preventing a peaceful settlement by clinging to particularist and Polish views, and gave the Conservatives to understand that by their fear of parliamentarianism they were impeding the Government's freedom of action. Falk, having taken his place in the House only January 26, was reserved, and said that for the time being some curés hostile to the national language and ideals would have to go

¹⁹ Kissling, *Geschichte des Kulturkampfes*, 2, 61ff.

²⁰ Hüsgen, *op. cit.*, 112. The opposition of Protestant orthodoxy to the School Inspection Law is briefly indicated by Joannes B. Kissling, *Der deutsche Protestantismus 1817-1917*, Münster i. W., Aschendorffschen Buchhandlung, 1917, 1918, 2 volumes, 2, 113.

but perhaps all the Evangelical pastors would remain at their posts. Gneist introduced the neat distinction "scientific education according to scientific principles and religious education according to religious principles", but that was vague and solved nothing.²¹

On the third day Mallinckrodt gave a forceful answer to the defenders of the measure of the two preceding days. He hammered Virchow for his false concept of freedom in education and for his complete falling away from true Liberalism. He launched an attack against the "proclamation of the dictatorship of the Minister" over the school, warned against the present dangerous policy, defended the Center and Windthorst, the "Pearl from Meppen", but was not for peace at any price. He said in part:

At the same moment that the Government demands dictatorship over the school the Representative Virchow pleads for oppression in the school. Gentlemen, the movement (of the Government) from right to left that one can clearly see, warns us to be careful. . . . He (Bismarck) has emphasized confessional tension and expressed the desire for religious peace. And to pave the way to peace he considered a diagnosis of the Center the most suitable means . . .

Bismarck entered the hall. Mallinckrodt went on:

The honorable president of the Ministry then compared the honorable Representative from Meppen with Wallenstein who in a jiffy made himself an army, and to that appended a line of accusations, finally to offer the piece of advice: "Get rid of this element . . ." Gentlemen, we want peace as earnestly as anyone. But when one offers us peace on condition that we sacrifice and deliver up an outstanding member, a fellow warrior in the struggle even, we consider that an insult, and such a proposition we reject immediately and dismiss without any consideration . . . Rest assured that there are few names that are so popular in the wide expanses of the Land, even in the provinces of old Prussia, as the name of the Representative for Meppen."²²

He also welcomed again to the party the Protestant members, praised them, and said they were cherished members. Bismarck

²¹ Goyau, *op. cit.*, 1,251ff.

²² Pfülf, *Mallinckrodt*, 345ff. On February 12, while the school debate was still under way, his friends in the Center gave a big dinner in Windthorst's honor at the "Leipzig Garden" restaurant. Conservative Representatives were there, too.

answered and Lasker supported him. A vote was taken. One hundred ninety-seven voted for the measure, 171 against it.

The next sitting on the bill took place February 13. Its opponents thought one ought to bide one's time and carefully formulate the "special law to regulate the whole school system" which Article 26 of the Prussian Constitution of 1850 called for instead of hurrying through in summary fashion this obscure and incomplete fragment of a law. Mallinckrodt, always the champion of right, said that the arrangement of a single point "must at all events remain within the system of the Constitution. Now the system of the Constitution is this: all parties interested in the schools should get their just due and come to an understanding among themselves as to their various claims."²³ The proposed measure was simply a violation of the Constitution. Article 24 declared: "When public schools are to be erected, existing denominational conditions are to be given the greatest possible consideration. The respective religious bodies direct the religious instruction in the schools" The Constitution insured the Church the right of supervision alongside the State. Windthorst had gone more into detail.

Now as regards the proposed law itself, I have seen many bills in former times, we have been flooded with them here for years, but never have I seen one so vague, so incomplete in its conception and so deplorable in its composition as this is. The bill establishes inspection by the State alone. It says nothing about the rights or competency of the men intrusted with this inspection, nothing about the qualification the state school supervisor should have, nothing about the part denominational conditions should play in the choice of these supervisors according to Article 24 of the Constitution. The measure says nothing about its relation to the other provisions of the Constitution, especially Article 20: "Science and its teaching are free." It contains nothing relative to the provisions on freedom in education, on the rights of parents themselves to care for the instruction of their children. The Constitution does not recognize compulsory attendance at determined state-made schools. In the Constitution one finds only that parents and those who take their place may not let their children go without the instruction prescribed for the elementary public schools. . . .²⁴

²³ Kissling, *Geschichte des Kulturkampfes*, 2, 62.

²⁴ Hüsgen, *op. cit.*, 112, 113. The principles underlying the whole school issue and some interesting sidelights are given by L. v. Hammerstein, "Die

Falk even later tried to show that the law was not incompatible with Article 24, but his arguments were not very convincing. Holtz, a Conservative, feared, with Mallinckrodt and Windthorst, the omnipotence of the bureaucracy. The Progressive Löwe said ironically of certain Conservatives that now suddenly they showed themselves jealous defenders of the Constitution though formerly they thought little enough of it. Eulenberg, a member of the Ministry, was in favor of an amendment which would give the State the right to nominate district supervisors but which would allow parish priests to remain as local inspectors for the time being. Bismarck was against this, and just at this time was beside himself because Ernest Ludwig von Gerlach, an influential Protestant, was making overtures with the Center, and it looked as though a merger of the two might take place. Amendments were also proposed according to which state nominations for inspectors should fall only on ecclesiastics. Lasker considered this a declaration of war by the Conservatives against the Government, but Bismarck was not willing to come out so clearly. The Center finally decided to take a long chance and try a risky strategy: it would vote for the amendments with the hope that the Liberals would then be dissatisfied with the whole project and throw it out. But a coalition of the Liberals, the Free Conservatives, and the Progressives who saw in the bill a step towards the separation of Church and State, plus the sympathy expressed for it by King William, won the day. The Prussian House of Representatives passed the measure this same day, February 13, by a vote of 207 to 155.²⁵

But the end was not yet. Bismarck still had to take the bill through the House of Lords. It was filled with orthodox Protest-

Schulfrage" in *Stimmen aus Maria-Laach*, 2 (1872), 50ff., 149ff., 416ff. and 3 (1872), 417ff.

²⁵ Goyau, *op. cit.*, 258ff. Just before the bill was passed August Reichensperger said: "Consider well, even now at the twelfth hour, whether, after you have passed this law, you will still be able to speak before the Prussian people of freedom, of opposition to an omnipotent State, of opposition to the arbitrariness of the Ministry. . . . In the heap of petitions against the law lies the voice of the people and the testimony of the people's conscience. If you pass over the voice of the people, which is God's voice, to the order of the day, you will have to answer for it." (Contradiction on the left.) Ludwig Pastor, *August Reichensperger*, Freiburg im Breisgau, Herder'sche Verlagshandlung, 1899, 2 volumes, 2, 60, 61.

A contemporary cartoon showed Siegfried (Bismarck) killing a three-headed dragon (Windthorst, Mallinckrodt, Reichensperger), *Cf.* Hüsgen, *op. cit.*, 323.

ant Conservatives whom he had but now deserted for the Liberal camp. But a little incident came to his aid. A young man named Westerwelle, who had said in Posen that things in Berlin were going to change, was arrested in the capital with a pistol in his pocket. This was February 21. The pistol was a rusty old thing that could not have fired and the suspect was shortly released. But his arrest occasioned the seizure of the papers of the Polish priest John Kozmian, who enjoyed the confidence of Archbishop Ledochowski. Kozmian had lodged Westerwelle. Among the papers was found a letter from Windthorst dated May 4, 1871, stating that no more petitions in behalf of the Holy Father should be sent to the Reichstag, as intervention in his behalf had now become a hopeless cause, but that such petitions should be sent to the Governments of the various States and especially to the rulers themselves. This letter gave Bismarck occasion to express himself before the House of Lords on March 6 as to the worth of the petitions sent in against the School Inspection Law.²⁶

The Representatives' measure came out of the Lords' Committee changed in a conservative direction. It ran:

As a rule, the superintendents, archpriests, and deans have to exercise the office of district school inspector. Still, in special cases, the authorities in charge can commission another cleric of the same denomination; when necessary even a non-cleric. The local school inspection of the elementary schools shall be taken care of by the resident clergy commissioned by the State. The commission given district and local school inspectors can, should they fail to fulfill the duties imposed on them, be revoked by decision of the authorities and taken over by other clergy of the same religious persuasion, and, when necessary, even by non-clerics.

The Conservative von Wedell, the Catholic von Galen, von Waldaw-Steinhöfel, von Bninski representing Catholic Poland, von Pilsach, and von Kröcher supported the amendment. So did Hans von Kleist-Retzow, Bismarck's nephew. He, God-fearing

²⁶ The letter was not to Kozmian but to Haza, brother-in-law to the noted Centrist Schorlemer-Alst. The whole incident with documents is given in Majunke, *Geschichte des "Culturkampfes"*, 226-233. An interpellation against making private correspondence public was made in the House by the Center March 19 and considered March 23. The chief participants in the discussion were Schorlemer, Eulenberg Minister of the Interior, and Windthorst. Cf. Brück, *op. cit.*, 4, 1, 1733ff. Prince Hohenlohe in his Memoirs (cited in Hüsken, *op. cit.*, 122) says that the finding of the papers made it clear that Bismarck was taking up the *Kampf gegen Rom* and would go through with it.

Lutheran, had the confidence of orthodox Protestants. The Conservatives looked to him to fight the school bill before the Lords. In January he had talked with Gerlach and Reichensperger, and they thought that all Christian-spirited men should unite. March 5 Bismarck had him to dinner and tried to bring him around. When he could not, he picked up his knife and, with a decisive gesture exclaimed: "Hans, if that's the way it is, we're through!" Twenty-four hours later they were facing each other in the assembly. Falk defended the original measure, of course. Bismarck supported him. So did Count Münster, von Manteuffel, Hasselbach, Kohleis, von Gossler, the former Minister von Bernuth, Professor Hinschius. Since the Government explained that its measure was to be put into effect only in an emergency, the Opposition rebutted that its counter-measure took care of an emergency just as well. Bismarck spoke at length. He first attacked the loyalty of the Poles, then the Conservatives. He hinted at the unwholesome influence of the confessional on the choice of school inspectors. Finally he played his ace. He had it through a diplomatic note from abroad, he said, that a clergy directed from Paris, Rome, Geneva, and Brussels planned nothing less than to stir up ecclesiastical dissension in Germany with the two-fold aim of avenging France and restoring the influence of the Church. The Chancellor's insinuations and misrepresentations won the day. On March 8, 1872, the Lords passed the bill as presented by the Representatives by a vote of 125 to 76. The King signed it March 11.²⁷

March 13 (too late, we know now) the Prussian bishops sent an address to the King, representing to him that the new law was an injury to the interests of the State, the Church, and parents and that it made collaboration between the Church and the State in school work impossible. They hoped to be able to induce him to withhold his signature. There was no answer. April 9 they assembled at Fulda. From there they informed Falk on April 11 that they would continue to do their duty in helping the faithful, especially children, committed to them and in keeping peaceful relations between the Church and the Government. The same

²⁷ Kissling, *Geschichte des Kulturkampfes*, 2, 69ff. and Goyau, *op. cit.*, 1, 260-268. The diplomatic note probably came from von Arnim in France, whose straightforwardness a year or two later at least one might suspect if we are to believe Bismarck himself. Cf. *Bismarck: The Man and the Statesman* (Bismarck's Autobiography), New York, Harper and Brothers, 1899, 2 volumes, 2, 177ff.

day they instructed their priests to be local school inspectors but not district ones without episcopal permission. If asked to act contrary to their priestly office they should inform the bishop before giving up their post. They should inform him, too, in case they were removed. The pastoral was signed by the archbishops and bishops of Cologne, Breslau, Trèves, Kulm, Ermland, Hildesheim, Freiburg in Breisgau, Münster, Paderborn, Fulda, and Limburg.²⁸

The bill had been enacted into law, opposition overcome, petitions rejected. But Bismarck felt none too much at ease over the whole matter. There was a powerful, fighting Center party against him. Four-fifths of the Conservatives had voted with the opposition, and one could not forget that they were old faithful supporters of the Hohenzollerns. Bismarck had taken to himself the Liberals, of whom he was not very fond. The Emperor did not like them either, and the Empress Augusta most assuredly did not. So Falk moved slowly. March 13 he invited the provincial authorities to confirm in their functions all inspectors save those who had been wanting in true devotedness to the public interest or in teaching the national language. All Evangelical pastors and three-fourths of the curés were left undisturbed. In West Prussia, Posen, and Silesia, however, priests, especially if Polish, were watched to see whether anything serious enough to merit privation of office could be detected. Some things were. But since only 20,000 thalers had been raised for the application of the new law, Catholics served gratis, and good lay inspectors simply were

²⁸ The Prussian hierarchy's address to the King is in Nikolaus Siegfried, *Actenstück betreffend den preussischen Culturkampf*, Freiburg im Breisgau, Herder'sche Verlagshandlung, 1882, 94. The message to the Ministry and the pastoral are *ibid.*, 96ff. Some thought that it "is surely most lamentable if on this occasion the whole of the German episcopate does not meet . . . the matter is not of Prussian interest only, but fundamentally a *causa communis* . . ." Otto Pfülf, *Bischof von Ketteler*, Mainz, Franz Kirchheim, 1899, 3 volumes, 3, 174ff.

Pope Pius IX was thinking of and praying for Germany too in those days. On April 13, 1872, before more than 400 Catholics of various nations, he said: "I bless Germany become today the object of attack of an anti-Catholic and ambitious spirit. I beg of God constancy for the faithful, that they may persevere in that steadfastness which has always been the object of our admiration both in the clergy and in a great part of the people. Let us pray for these poor foolish men who call themselves "Old" because they are trying to introduce into the Church old errors a thousand times refuted." Goyau, *op. cit.*, 1, 456.

not to be had, radical changes in the immediate present were out of the question.²⁹

But adverse comment was not silent: Hans von Kleist-Retzow had said: "By this law the Government is opening the gate through which the wild waters of unbelief of our times will rush forth from a de-Christianized State and flood the schools."³⁰ A journalist writing in the Center's paper *Germania* two days after the Lords had passed the bill spoke very strongly when he said: "The vote of the House of Lords on the inspection law will be regarded some day as the most serious blow Protestantism has received in three hundred years; and if we as Catholics should wish to consult only our own interests, we might wish that Bismarck would stay in power a long time still, for he is hurting Protestantism and doing a service to Catholicism."³¹ In the "Declaration of the Prussian Episcopate to the Ministry Regarding the School Inspection Law" written from Fulda April 11, 1872, it was stated:

That organic connection of the elementary school with the Church rests not only on traditional historical usage, which was also recognized and guaranteed by laws and decrees of the State, but on an intrinsic divine right which she could not surrender even should she so desire, since it is committed to her by her divine Founder only for the fulfillment of an indispensable duty, the Christian instruction and education of youth. . . . We feel ourselves obliged solemnly to inform the Government that we consider the inalienable rights of the Church prejudiced by this law and that we foresee from it terrible consequences both for the Church and the State.³²

On September 20 the bishops, from all Germany this time, met again, and with the increased prestige of members and the experience gained from some months' application of the law wrote in their Memorial:

Without Christian schools in which the Church exercises her own proper authority, there is no Christian education. If the school is not on friendly terms with the Church and the Christian family, it is the bitterest enemy of both; it is anti-Church and anti-family, which in a way heretofore unheard of in history estranges the children from the hearts of the parents and from the

²⁹ Goyau, *op. cit.*, 1, 270ff.

³⁰ Kissling, *Der deutsche Protestantismus*, 2, 113.

³¹ Quoted in Goyau, *op. cit.*, 1, 304, 305.

³² Siegfried, *op. cit.*, 96.

spirit of the Church and trains them to be irreligious men or at least men indifferent to religion. . . .

The State has, it is true, taken over the schools more and more, but it has ever considered itself obliged also to safeguard the religious and denominational character of the school and therefore has at least left the Church that influence on them which is necessary in order that they may offer a Christian education and not undermine it. It cannot but fill us and all believing Catholics with deepest concern to see the Church and her influence ever more excluded from the school, clerical school inspectors placed in a precarious position, non-denominational schools founded in the new provinces of the Empire, and those pedagogical theories favored which aim at the complete de-Christianizing of the schools.³³

The Government was none too happy in the choice of some of its new school inspectors. An objective and well-informed historian wrote:

The officially published lists of the newly appointed local school inspectors really make quite a comical impression now and then on the man who firmly believes that the Government is fired with a holy zeal for the improvement of the schools. In the Rhineland and Westphalia the burgomeisters were for the most part intrusted with the office. One finds the most colorful array in Silesia, where Foresters, Public-House Inspectors, Directors-General, Property-Directors, owners of manors, princes' paymasters and other such professional people were called upon to fill the office of local school inspectors. In Silesia and Posen the Government went so far in its zeal for the modern germanization as to want children of Polish stock to receive religious instruction in the German language.³⁴

So one is not altogether surprised that

In some places, the new government inspectors forbade the children to use the "superstitious" salutation, "Praised be Jesus Christ!" universally given by German Catholics where we are satisfied with a "How d'y do?" In many districts the crucifixes and holy pictures were thrown out of the schools, and were replaced by portraits of their Sacred Majesties, the emperor and empress. In nearly all schools the little pupils were taught that the Biblical stories with which their Catholic teachers had loaded their memories, were mere

³³ Quoted by Victor Cathrein, "Zur Schulaufsichtsfrage in Preussen" in *Stimmen aus Maria-Laach*, 74 (1908), 256ff., 425ff., 433, 434. The whole lengthy document is given by Siegfried, *op. cit.*, 133-151.

³⁴ Quoted in Brück, *op. cit.*, 4, 2, 308, 309.

fables. Some inspectors gave the young girls themes for composition, which were more "patriotic" than moral; thus, a favorite subject was: "What are the sentiments which ought to agitate the heart of a young woman, when she sees an officer of hussars?"³⁵

The School Inspection Law was contemporaneous with and merged in and followed by so many kindred governmental measures against the Church that it became almost at once only one of the many issues with which Catholics were confronted. Attention was called to it anew, however, when, by an order of February 18, 1876, Falk withdrew from the Church also the right of imparting "school-planned" religious instruction. October 15, 1877, the Catholics of the Rhineland complained to the Emperor that almost all Catholic clergy had been removed from their posts as district or local school inspectors.³⁶ Long after that phase of German history known as the *kulturkampf* was officially over and the nineteenth century was drawing to a close, both the School Inspection Law of March 11, 1872, and ministerial decree of February 18, 1876, were still standing.³⁷

³⁵ Rueben Parsons, *Studies in Church History*, New York, Pustet, 1896-1900, 6 volumes in 8 parts, 6, 2, 13, where he refers to Janiszewski, *History of the Persecution of the Catholic Church in Prussia* (1870-1879), 115.

³⁶ Falk's order of February 18 is given in Siegfried, *op. cit.*, 315-318, the address of the Rhenish Catholics *ibid.* 334-335. A sketch of Falk's dealings with the schools is given in the chapter entitled "Die Schulära Falk" in Kissling, *Geschichte des Kulturkampfes*, 3, 136-149.

³⁷ Victor Cathrein, "Die geistliche Ortsschulaufsicht in Preussen" in *Stimmen aus Maria-Laach*, 51 (1896), 253-271, 254.

A NEW LETTER OF ST. PETER CANISIUS

JOHN FISHER*

St. Peter Canisius was, perhaps more than any other individual, responsible for the success of the Catholic Counter-Reformation in Germany. He was instrumental either in founding or in helping to found eighteen different colleges to combat the spreading heresy. Though this alone would be a lifetime's labor for one man, St. Peter managed, in addition, to produce fifty-three different written works, some of them long books.¹ At the same time he was guiding the German Province of the new Society of Jesus and advising prelates on theological matters at Ecclesiastical Councils. It is surprising, then, that he found time to carry on a voluminous correspondence. Nevertheless, Braunsberger's monumental work, *Beati Petri Canisii Societatis Jesu Epistulae et Acta*, fills eight volumes.²

However, even the careful research of Braunsberger failed to gather all of Canisius' correspondence. The following letter, one that escaped his scholarly investigation, was discovered by the writer while working among the microfilm manuscript collection set up by the Knights of Columbus Foundation for the Preservation of the Historic Documents at the Vatican Library at St. Louis University. This slight discovery is indicative of the wealth of material still unworked in this collection of manuscripts, despite the labors of generations of scholars.

Because this letter of St. Peter Canisius is addressed to Cardinal John Morone, chiefly on the subject of the Saint's *Opus Marianum*, it might be well, before proceeding to the letter itself to give some account of the Cardinal and the circumstances of the letter.

Cardinal Morone had distinguished himself as the Papal Legate to the Council of Trent in 1563, where he had come in contact with St. Peter Canisius. The Rev. J. Brodrick, S.J., in his *Saint Peter Canisius* tells the story of their work at the Council and

* Mr. Fisher is a graduate student in history at Saint Louis University, and engaged in extensive research in the microfilm holdings of the Knights of Columbus Foundation.

¹ Frederick Streicher, S.J., in his *S. Petri Canisii Catechismi Latini et Germanici*, Romae: Pont. Univ. Gregoriana, 1933, lists all of them. pp. 29 ff.

² *Beati Petri Canisii Societatis Jesu Epistulae et Acta*, Freiburg im Breisgau: Herder, 1896-1923. Nor have I been able to discover the letter in the literature since this publication.

the mutual esteem it gave rise to.³ It is not surprising then that twelve years later, Cardinal Morone, again Papal Legate, this time at the Diet of Regensburg (Ratisbon), should select St. Peter for his theological adviser, and what is more, for his confessor.⁴

At the Diet, St. Peter acquainted the Cardinal with his work on our Lady which was then in process of composition. Indeed, he left Regensburg late in 1576 before the end of the Diet in order to complete the work for publication. The 780-page volume, written, as St. Peter says in the letter below, in vindication of our Lady against the heretics, was published in July, 1577. An ample account of its contents can be found in Brodrick's book.⁵

St. Peter was delayed in dispatching the work to Cardinal Morone until November, probably because, as Brodrick surmises, it was difficult to find a courier for a book of such bulk. Very Rev. Everard Mercurian, General of the Society of Jesus, in a letter dated as late as April the following year, mentioned the scarcity of copies of St. Peter's book: "We have received only two copies of the book, one for the Pope according to the wishes of Father Canisius, and one for myself."⁶ However, there must have been a third copy in Rome, Cardinal Morone's, since it was with the dispatch of this copy that St. Peter wrote the letter under discussion to the Cardinal.

A few items about the letter itself before we present it in translation. It is to be found among the manuscripts of the Vatican Library, Cod. Vat. Lat., no. 6406, ff. 119 and 120, one of a number of letters addressed to Cardinal Morone. The Latin script is quite easy to read, in a clear conventional hand. The following translation is somewhat free, a circumstance necessitated by the idiomatic nature of correspondence. But with a fair knowledge of Latin one can easily assess the liberties taken by a comparison of the translation with the original which is appended to the article.⁷

Envelope:

³ *Saint Peter Canisius*, Baltimore, Maryland: The Carroll Press, 1950 (first published in 1935), Chap. XIII.

⁴ *Ibid.*, p. 740.

⁵ *Ibid.*, pp. 745 ff.

⁶ Quoted in Brodrick, p. 748.

⁷ The envelope was addressed as follows with some obscurities:

Most Reverend and Illustrious Lord
 Doctor John Morone
 First Cardinal of the Holy Roman Church
 And a most esteemed Patron

May the peace of Christ be with us most Reverend and Illustrious
 Lord and Patron

Doubtless your illustrious Eminence recalls that last year, when we were engaged at Regensburg, I showed you something of a sample, and as it were, gave you a first taste, of our Marian project. Now that the book has been through the favor of God published in a complete form, I have not been able to refrain from sending it to your Eminence and from making certain that it would be reverently presented to you for whatever service

Reverendissimo et Illustrissimo Domino

D. Joanni Morono, S.R. Ecclesiae

[Cardi] nali primario et Patrono

[Obse]rvantia summa colando

Pax Christi nobis aeterna Reverendissime et Illustrissime

Domine Patrone

Meminit haud dubie amplitudo tua Illustrissima, me superiore anno cum Ratisbonae versaremur, aliquod Mariani operis nostri monstrasse specimen, et quasi primum dedisse gustum. Nunc quoniam Dei gratia liber totus absolutus in lucem prodiit, facere non potui, quin hunc parum amplissimae celsitudini tuae mitterem, ac summo Patrono quidquid hoc est muneris, reverenter offerendum donandumque curarem. Scio enim quantum Societas haec nostra universa, in Germania praesertim, summo Cardinali ac sacri huius ordinis Decano debeat: scio quanta benevolentia et beneficentia illeipse me sibi tot jam annis devinctum teneat: scio denique, quam rara et eximia liberalitate Collegium nostrum Dilinganum pergat prosequi, ut praeclara plurimorum studia, quae illic admirabiliter florent, hac etiam ratione ad totius Germaniae proectum conservet ac provehat. Agnoscimus sane ac merito praedicamus hanc tantam optimi Maecenatis gratiam, summumque Deum ex animo precamur, ut non modo spiritualibus, sed aeternis etiam praemiis hanc vere paternam erga nos inopes charitatem abunde compenset. Caeterum hunc nostrum laborem, quem studio sanctissimae Virginis ac augustissimae Dominae nostrae adversus haereticos vindicandae suscepimus, ita Illustrissimae celsitudini tuae commendamus, ut maxime possumus, nimirum ut si opus fuerit, sua etiam auctori tate huic tanquam pupillo isthic exulanti fidissime patrocinetur. Dominus Jesus celsitudinis tuae conatus ad sui nominis gloriam, sanctaeque Ecclesiae utilitatem usque prosperet. Canonicus est Bombergensis et Augustanus, qui hoc munus coram porriget; eundem Illustrissimae celsitudini tuae in his quae petet, de meliore nota cupimus esse commendatum. Ingolstadii. 26 Novembris. anno 1577.

Servus in Christo Jesu,

Petris Canisius

it might render to a great patron. For I know how much our whole Society, and especially the Society in Germany, is under obligation to you, a great Cardinal and the Dean of this sacred order. I know with what kindness and liberality you have bound me to yourself these many years. Finally, I am aware of the rare and outstanding generosity with which you continue to show interest in our College at Dilingen, so that the efforts of many distinguished students who adorn that College might be continued and carried forward to the advantage of the whole of Germany. Of course we recognize and dutifully acknowledge such great regard on the part of so good a Maecenas. And from our soul we pray that the great God will reward abundantly this truly paternal charity towards us in our need, not only with spiritual gifts but eternal ones as well. For the rest, we heartily commend to your Illustrious Eminence this labor of ours, which we have undertaken out of zeal for the vindication of the Blessed Virgin, our august Lady, against the heretics, so that if the need should arise, you would faithfully offer to this orphan, as it were, exiled there, the patronage of your authority. May the Lord Jesus continuously further the efforts of your Eminence to glorify His name and to serve holy Church. The Canon who brings this work to you is an Augustinian of Bamberg.⁸ We wish to commend both him and his petitions to your Eminence, as he is a man of superior qualities, Ingolstadt, November 26, 1577.

Your servant in Jesus Christ,

Peter Canisius.

⁸ This Canon must be the "Hieronimus Stor, J. C. Consiliarius noster, Canonicus Augustanus et Vicarius Bambergensis: . . ." (Cod. Vat. Lat., 6406, f. 114), who carried a letter from Duke Albert of Bavaria to Cardinal Morone dated the same day as the letter sent by St. Peter Canisius. through with it.

REVIEWS OF BOOKS

MEDIEVAL

The Mind of the Middle Ages A.D. 200-1500: an Historical Survey, by Frederick B. Artz. New York. Knopf. 1953. pp. xxii, 552. \$5.75 text; \$7.50 trade.

As explained in the preface of the versatile Oberlin professor, this "survey" consists in a "succinct" account of "selected topics," with emphasis on "achievements of exceptional individuals," and is the "outgrowth of a quarter century of teaching." Art, architecture, and music are treated along with other aspects of culture, such as philosophy, the sciences, literature, and education. Religious thought is discussed at length in the two opening chapters, which refer to classical, Hebrew, and Early Christian backgrounds, and in part of the final chapter with special reference to mystics, but is otherwise largely neglected. Particularly good are the discussions of the classical backgrounds of Christian thought (in Ch. I), of high points in mediaeval political theory (Ch. VIII), of the work of the translators and of mediaeval technology (in Ch. VII), and of mediaeval literature, wherein the author abandons the customary breakdown into Latin and vernacular, and simply divides according to literary types (Chs. IX, X). He is similarly well advised in treating the culture of the High Middle Ages and that of the Renaissance as continuous in Part Two: "Revival of the West, 1000-1500." Extensive pertinent quotations from primary as well as secondary sources are to be found in the 47 pages of Notes. The greatest contribution of the book, in the reviewer's estimation, is the up-to-date select bibliography of about 2,000 works in English, French, German, and Italian. Most of these works are extremely useful, and those found particularly helpful by the author are asterisked. *The Mind of the Middle Ages* does not, however, always succeed in living up to its bibliography. The treatment of Byzantine civilization, of mediaeval philosophy and education, and of art, architecture, and music is only fair. That of religion has the serious shortcoming of often dismissing controversial questions with gratuitous rationalizations. In this delicate and disputed area, the work of the author sometimes reminds us of "a bull in a china shop." Among points which must be challenged are: the confusion of devotion to the saints with polytheism, and of salvation with immortality, the attribution of the growth of mystery religions and religious philosophies to political disunity in the Hellenistic world, rather than to increased prosperity, intellectual culture, and cosmopolitanism, the rationalization of the Hebrew and Christian religions, the stigmatization of early Judaism as polytheistic and amoral, the identification of a "prophet" as "one called by God," rather than as "one through whom God speaks", the attribution of Philo's allegorical method to Stoic inspiration, the summary rejection of the authenticity of three of the four Gospels, and the declaration that the Fourth Gospel (of John) was intended to supplant the others, the denial that the Jewish Messiah was originally conceived of as a person, or that Jesus Christ per-

formed miracles, founded an organized Church, conceived of the latter as universal, established sacraments, or insisted that his followers believe in his own divinity. Also the characterization of the prevailing mood of the Christian Fathers as gloomy, and the quotation of a faulty translation of Tertullian. In the same category are the assertions that the Papacy is a product of Patristic theory, the Church was the real state in the Middle Ages, the Popes tried to assume the position of Roman Emperors, that mediaeval theory of Church-State relations traces back no farther than Gelasius, and that Boniface VIII maintained the Pope was the sole power on earth, as well as that the Byzantine system of commerce was Roman rather than Eastern, the Byzantine character was oriental rather than composite, the Byzantine Emperor was the head of the Eastern Church, and the latter Byzantine Church had no place for the New Testament or the real teachings of Jesus. Likewise questionable are the comparison of Al Ghazzali to Luther, the limitation of the number of Aristotle's logical treatises translated by Boethius to two, the identification of John of Salisbury as a distinguished teacher at Chartres, the restriction of twelfth century logic to rules of thinking, to the exclusion of its other philosophical, such as epistemological and psychological, content, the exaggeration of the economic decline immediately following the Germanic invasions, the identification of the origin of the jury system as Germanic law, and the denial of the quality of synthesis to the work of Thomas Aquinas. Further examples are assertions that the aim of mediaeval education was to develop character and adapt to social living, that mediaeval thinkers rarely doubted anything, and that their minds lost clarity of thought in discussing problems in Latin rather than in the vernacular, in a day when the latter was inadequate and the former most familiar, that the idea prevailed in all mediaeval centuries that anyone patient enough to study the rules could master the art of writing, that Boccaccio became a master of Greek (p. 437), and that the Platonic Academy in fifteenth century Florence was more Christian than were the earlier humanists.

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Roger Bacon and His Search for a Universal Science, by Stewart C. Easton.
New York: Columbia University Press, 1952. pp. 255. \$4.00.

Roger Bacon is nothing if not a controversial figure and this book seems likely to follow its subject. The author gives evident proof of a very wide acquaintance with materials written by or about Roger Bacon, and certainly not the least valuable parts of the work are the summaries of controversies directly or indirectly connected with Roger and his times, as well as the author's own, frequently debatable, conclusions. Of course much of our knowledge of Bacon is tenuous and the writer necessarily had to use "perhaps," "probably" and "most likely" a good number of times. An example of the method usually followed is given in the opening paragraph on the early life of Bacon: "We simply do not *know* what Bacon did at this time . . . I shall therefore . . . try to indicate the choices before him, show what he *could not* have done, and finally by the process of elimination suggest what he probably did" (p. 19).

A key assumption which permeates the author's treatment is his contention that Bacon had picked the wrong horse: that is to say, he chose to study philosophy in an age when theology was in vogue, and "the subconscious realization that he had made a wrong decision accounts for the whole of Bacon's later career and his peculiar psychological disposition in a remarkable manner" (p. 30).

Bacon, the genius and pygmy, is often contrasted: "He can give a masterpiece of brilliant exposition of a difficult theory, and then follow it elsewhere with absurd and puerile non-sequiturs; . . . he shrinks from no purposeful and malicious innuendo and sly personal remarks, while at the same time attributing to himself the highest motives; . . . he can never be generous; . . . his greatest work still stands today with the hallmark of genius upon it; with all the faults of his brilliant and erratic nature impressed on it for all to see; but still, without any doubt, a masterpiece" (pp. 33-34).

In concluding his book the author hopes that "if there is much in this study that is hypothetical and much that is constructed out of rather slender evidence, it may at least serve to stimulate further thought and research . . ." His hope will almost certainly be justified. As regards the assumption that the key-explanation of Bacon is his subconscious realization that he should have majored in theology rather than philosophy, it would seem that this hypothetical psycho-analytic reasoning can only finally be proved or disproved by Roger himself. There is little likelihood he will do so.

L. J. Daly, Saint Louis University.

Medieval Ecclesiastical Courts in the Diocese of Canterbury, by Brian L. Woodcock. Oxford University Press. London. Geoffrey Cumberlege. 1952. pp. xii, 160. \$3.50.

A significant index of the secular character of modern society is the surprise we experience when reminded of the large share the Church of the Middle Ages had in the every-day administration of justice. Her exclusive right to try all purely spiritual cases and all cases annexed thereto went almost unquestioned, even though these categories included, under the guise of testament, non-sacramental aspects of matrimony and sworn oaths, matters that would today be deemed frankly secular. In addition, the Church was at times obliged to take over a considerable area of justice that the lay powers by default were unable to exercise. By the close of the thirteenth century, however, the new national monarchies had reclaimed most of this, not without bitter controversy. The fourteenth and fifteenth centuries saw fewer disputes over jurisdiction; in both royal and ecclesiastical courts it is largely an age of efficient, business-like routine.

The late Brian L. Woodcock's book describes just such normal functioning of ecclesiastical courts in a single English diocese of this period, especially of the latter part of it, for it is the century preceding the Reformation that receives the most detailed treatment. The author has limited himself to a survey of the two strictly diocesan courts of Canterbury (Consistory Court and Archdeacon's Court), leaving out of consideration the provincial

court over which the Archbishop as metropolitan likewise presided. He has attempted no comparison with the working of courts in other dioceses. He has avoided excursions into the fields of general ecclesiastical activities and institutions.

This careful delimitation has done much to make possible a clear and surprisingly simple exposition of a subject matter whose technical nature is well suggested by the titles given to the two parts of the book: 1) The Jurisdictions, 2) The Procedure and Practice of the Courts. The account, moreover, is far from dull; lively, if brief, details are provided and the laconic observations are regularly illuminating. The sources upon which the author has drawn are for the most part unpublished ones. Judicious citations in footnotes give us some acquaintance with them; an illustrative appendix publishes a few of them *in extenso*. The five pages of bibliography devoted to MS sources should prove extremely useful to other researchers, as should likewise the lists of court officials compiled almost exclusively from unprinted materials.

The book appears at first sight to be for specialists, but it can be highly recommended to all who are seriously interested in the later Middle Ages. Its calmly objective and well documented presentation is an excellent antidote to the sweeping generalizations and slanted interpretations that are all too common in histories of this period. Its scant hundred pages of text convey an extraordinary sense of reality, so intimate is the contact they establish with ordinary individuals and actual every-day happenings.

Humanly speaking, one cannot but regret the loss of so able a young scholar as Mr. Woodcock. His endowments and potentialities promised well. And much hard work had given him an unusual knowledge of the sources and an effective mastery of the technicalities of his subject. A successor will have all this to go through again.

G. B. Flahiff, Pontifical Institute of Mediaeval Studies, Toronto.

Trade and Industry in the Middle Ages, edited by M. Postan and E. E. Rich. Cambridge Economic History of Europe, Vol. II. New York. Cambridge University Press. 1952. pp. xvi, 604. \$9.00.

This series has so far been the unfortunate victim of a decade and a half of disrupted world scholarship. The economic history of Europe has been in need of the type of encyclopedic synthesis which has customarily been associated with the various "Cambridge histories". Volume I appeared in 1941, admittedly a job far short of the original grand design of the two editors, Eileen Power and Sir John Clapham. Both are now dead, and the Preface to this volume by the two new editors is a listing of disappointed plans. This volume is also a makeshift product. Instead of an encyclopedic synthesis, the result is more a scholarly symposium of experts writing well but too sketchily and broadly.

The subject of this volume is trade and industry from the barbarian times to what each author considered to be the end of the middle ages. Childe lays the background in the first article by giving a sketch of barbarian Europe and thereby provides a foundation for the developments outside the limits of the Roman Empire. Chapters II and III by Walbank and Runciman respectively cover the Late Empire in the West and the Byzantine Empire

in the East. The longest chapter is that by Postan who traces the course of medieval trade in the North; and this is followed by Lopez's treatment for the South. Chapters VI, VII, and VIII by Carus-Wilson, Nef, and G. P. Jones treat the three prominent industries of woolen textiles, mining and metallurgy, and building in stone.

The key article in the plan of coverage and probably the most useful is that by Postan; the chapter on the woolen industry by Carus-Wilson is likewise of special value. Professor Lopez gives a succinct sketch of his topic. However, I think that most students will find very annoying his habit of anonymous reference such as "a prominent medieval historian", "a student of northern trade", "a writer of the ninth century", and so on. The chief value of such a work as this to many students is that of a springboard from which one can be inspired and directed towards more detailed study of critical points.

With a sigh of regret for what might have been, students and teachers should still be grateful for what has been salvaged. Both the first two volumes are "musts" even for the small college library, but few students or even teachers will feel impelled to add it to their private bookshelf.

Richard L. Porter, St. Louis University.

A History of the Middle Ages, 284-1500, by Sidney Painter. New York. Knopf. 1953. pp. xv, xx, 497. Trade: \$7.50; text: \$5.75.

The present survey endeavors to present general mediaeval history in the most intelligible manner by concentrating on and generalizing concerning a limited number of more important points, and then using the text to illustrate and substantiate these. It is written in the easy style of a distinguished mediaeval scholar, often with a touch of humor, and generally with insight. Its fourteen chapters are further subdivided into a total of forty-nine parts, evidently for the convenience of the teacher who follows the text. The discussion of political history centers on England, France, and the Empires, German and Byzantine. The treatment of the latter is sketchy. No attempt is made to present the history of other areas of Europe. The history and influence of Islam is omitted. Disproportionate attention is allotted to the Hundred Years War, to which one chapter out of the fourteen is accorded. The work is weak on early Christianity, the mediaeval Church, and philosophy and science. The influence of translations from the Arabic and Greek on the evolution of mediaeval thought and learning is not mentioned. Among assertions questioned or challenged by the reviewer are those that the early Christian Church had no real hierarchy (p. 14); that the rejection of Arianism in the fourth century and the acceptance of matrimony as a sacrament in the twelfth were merely practical expedients on the part of Churchmen (pp. 16 and 138); that drunkenness, brutality, and sexual laxity were the order of the day among the feudal nobility (pp. 119-121); that the question of universals remained dominant in mediaeval philosophy (pp. 431-432); that the concept of nobility by birth was clearly developed to keep the bourgeoisie in their place (p. 440); that love had no recognized place in mediaeval marriage (p. 441); that the Goliardic poems were essentially pagan in thought and expression (p. 447); that Roman law did not play a vital part in the Middle Ages

until the eleventh century (pp. 32, 437-438); that the liberal arts curriculum died out beyond the Alps in the Early Middle Ages and was revived under Italian impetus (p. 466); that Oxford University was the third oldest University in mediaeval Western Europe (p. 469); and that Parliamentary systems are a product of the Later rather than of the High and Later Middle Ages (p. 469). Matters upon which Painter is especially good are the feudal system and agriculture in the tenth and eleventh centuries, the contributions of the Church and monks in the same era, the sources of Papal income in the High Middle Ages, the political evolution of England and of the Western Empire, social and economic ideas, historiography, and non-ecclesiastical architecture. As a text, Painter's work would best serve for a three-unit course where students have not had a thorough lower division treatment of the subject, and wherein the teacher remains conscious of its weaknesses on such subjects as the Church and mediaeval culture.

Daniel D. McGarry, Saint Louis University.

MODERN

Travel and Discovery in the Renaissance, by Poies Penrose. Cambridge. Harvard University Press. 1952. pp. 369. \$5.00.

Travel and Discovery in the Renaissance, 1420-1620, is another product of a scholar who has made the study of Renaissance Geography one of his wholesome hobbies. The book should have a direct appeal to many readers—geographers, historians, cartographers, the scholar whose interest lies in many fields, and to any general reader who is interested in the sound but colorful adventures experienced by Renaissance discoverers, explorers and settlers who contributed much in the expansion of man's horizon from the "known world" of 1420 to the "expanded world horizons" at the close of the period, 1620.

The book consists of seventeen chapters; they treat of the Classical and Medieval historical-geographical background which consisted of some theory, some myth, and some actuality; of early fifteenth century free-lance travelers to India and the Orient; of Prince Henry; of the Portuguese in the Orient; of the Columbian voyages; of the age of the Conquistadores; of early exploration in North and South America; of sixteenth century Africa; of the ages of Magellan and Drake; of the Jesuits in the Orient; of early colonization of North America; and of cartography, navigation and literature of the Renaissance. And whether he is relating the trials of Prince Henry the Navigator in his attempts to encourage his sailors to make southern explorations along the coast of Africa, or the disappointments of Columbus, the commercial triumph of Da Gama, the vicissitudes of Magellan, the monetary gains of Pizarro, the rigors of the cold Canadian winters as witnessed by settlers from the maritime provinces of France, the styles of Renaissance ships or new achievements in navigation, the author employs the same skill in blending description and exposition with his direct narrative style,—the style so necessary in writing a book of this nature.

The maps are adequate and are conveniently placed for the readers' references. There are several Renaissance reprints listed among the maps, and on pages 253-255 a list of maps of this age has been compiled.

The bibliography is excellent and is divided into general works and a list of books for each individual chapter. As to the physical qualities of the book, it is well made, with a good-quality heavy white paper with a dull finish which reduces the amount of glare when the book is read under conditions of artificial lighting.

John W. Conoyer, Saint Louis University.

The Earlier Tudors, 1485 to 1558. The Oxford History of England. Vol. VII, by J. D. Mackie. Oxford, at the Clarendon Press. 1952. pp. xxii, 699. \$7.00.

Readers who are familiar with other volumes in the Oxford History of England will probably find this book somewhat disappointing. As a narrative of the political events of the period it will no doubt be very useful. Within that field the author's mastery of detail is impressive. His writing, if seldom distinguished, is almost always clear and concise; and on some important questions, such as foreign policy and the history of taxation, his account is perhaps fuller and more satisfactory than that of most earlier writers. But his interest is confined almost exclusively to politics. On other aspects of the national history which have been given prominence in this series he has comparatively little to say. A single chapter describes the conditions of life in town and country on the eve of the Reformation. Another relates in rather pedestrian fashion the economic changes that were transforming English society in these years; and in a closing chapter on the Achievement of the Age there are a few brief passages on literature, education and the arts and sciences. That is about as far as Professor Mackie strays from the field of politics. He is of course entitled to determine the scope of his work but many of his readers will regret that he has chosen to adhere to an older tradition and to present them with a book which is more nearly akin to the Victorian type of political history than to the volumes which have given this series the place which it holds among students and teachers.

Neither the Renaissance nor the constitutional changes of the period, regarded by most scholars as one of the major revolutions of English history, is considered of sufficient importance to merit special treatment. The author's views on these subjects must be sought in isolated passages scattered through the narrative. A few pages suffice to explain the work of the humanist scholars; and although Professor Mackie observes that the connection between the Renaissance and the Reformation was peculiarly close in England, no serious effort is made to explain the exact nature of the connection. It is indeed difficult to know just what is meant by the Renaissance, apart from the simple statement that it was "a triumph of facts over theories," a triumph of common sense and realism over the "ignoring, pretending and philosophising" that were characteristic of the middle ages. Professor Mackie's interest is clearly in the men who saw the facts and acted upon them; and he has little time for speculation on theories of monarchy, the relations between church and state, or the new economic ideas that were gaining ascendancy. The one exception is his observation

on More's Utopia, which he regards as a "danger to world peace", and an attempt to establish in England a political and social regime "which bears a strong resemblance to Hitler's Germany". It may be added that, despite the refutation by the late R. W. Chambers, the old legend of More's ferocious persecution of heretics is faithfully repeated.

The chapters on the Reformation follow the established pattern. The movement is interpreted almost entirely as a victory of the amoral nation state over a foreign jurisdiction; and this being assumed as right and proper and in the order of nature, judgment on issues and individuals is reasonably objective. Admiration for Henry as the supreme realist of the age is apparent; but Professor Mackie has no illusions about his character or his methods. The king, he observes, "had a conscience that would not allow him to do wrong. It always told him that whatever he did was right". Equally evident is his sympathy for Thomas Cromwell, "the grimy fingered mechanic who oiled the wheels of the chariot of state", especially when, being of no further service, he was crushed beneath the chariot "while his ungrateful master rode triumphant on". In those who did not see the facts precisely as they appeared to these realists, there is not the same interest. What is depicted here is the operation of what Sir Ernest Barker has called "the totalitarian state incarnate in Henry VIII." Professor Mackie is content to relate the facts. With the implications, even as they affected some of the most illustrious character of the age, he is not greatly concerned.

On one important question there is here some inconsistency. The Royal Supremacy, formally created by the Act of 1534, is usually spoken of as being vested in the king alone. But in one passage, despite the plain words of the statute and the recorded opinions of most contemporaries, Professor Mackie describes it as being exercised by "king and parliament". He condemns the "dishonesty which marked the publication" of the Forty-Two Articles by the king in 1542, and states, on page 521, that all previous confessions of faith had been made by parliament. In a passage on page 382 he demonstrates convincingly that the Ten Articles of 1536 were passed, not by parliament, but by convocation and that they were "essentially the work of Henry himself". This is not a minor point. It involves the nature of the Royal Supremacy itself; and much of the struggle that followed turned upon that question.

D. J. McDougall, University of Toronto.

Flags of the World, edited by H. Gresham Carr. New York. Frederick Warne. 1953. pp. x, 290. \$10.00.

In the fourteen years since W. J. Gordon's *Flags of the World* appeared there have been so many new nations founded and so many new flags added to the world's flag standards that a new edition of this book will be gratefully received by all libraries. As a reference tool this book merits highest recommendation. It will have a wide sale and deservedly so since it is one of those basic books which is needed.

Users of the book will be pleased particularly with the editor's excellent preface in which he gives the reader a brief but very enlightening dissertation on the origin of the use of the flag and the development of this arbi-

trary sign through the long history of its usage. Much of this information is rather loosely handled in other places, but here it is neatly put in one small, but carefully packed package.

Illustrations in the book, both in color and black and white are well done. The overlay sheets for the color illustrations are a bit more carefully handled than is normally the case. The publisher is to be congratulated on the format and the excellent work done on a book which was a difficult production job.

The present reviewer sees no obvious faults with the book and thinks that the work merits unreserved commendation.

Joseph P. Donnelly, Saint Louis University.

AMERICAN

Rendezvous with Destiny, by Eric F. Goldman. New York. Alfred A. Knopf. 1952. pp. xiii, 503, xxxvii, \$5.00.

The sub-title of this work, "A History of Modern American Reform," is more descriptive than the actual title, which could wrongly suggest preoccupation with FDR and the New Deal. Actually, the book traces Reform Movements from the Civil War period down to our own times, or, as one might say, from Horace Greeley to Harry Truman. Quite apparently, Goldman has attempted to condense a very significant amount of information in a relatively short space. His success in so doing will be appreciated by many readers, and perhaps especially by reviewers.

Goldman, a Princeton professor, has developed a theme which previously has not been much used, at least on such a scale. In general, his work is clever and is interestingly written and, seemingly, is being well received by professional scholars and others.

In recounting the rise of Reform, the writer considers both Patrician and Popular Reform; Samuel Tilden and Theodore Roosevelt being examples of the first category, and the Populists of the second. Professor Goldman employs another useful device in categorizing the political turmoil at the turn of the century as "Conservative Darwinism" versus "Reform Darwinism."

A Library of Congress Grant-in-Aid in American Civilization enabled Goldman to do much research for *Rendezvous*. A scholarly work results, though his "reforming" or "liberal" sympathies occasionally show through. These sympathies could perhaps be expected from his past articles in the *New Republic* and his more recent ones in *The Reporter*.

Many readers will certainly differ with some of his interpretations especially on more contemporary affairs, but this does not prevent the volume from being a worthy contribution.

Doctor Goldman makes adequate use of the professional journals as well as primary sources of the distant and immediate past. His book has worthwhile bibliographical notes and a serviceable index.

Clifford J. Reutter, University of Detroit.

The American Socialist Movement 1897-1912, by Ira Kipnis. New York. Columbia University Press. 1952. pp. 496. \$6.00.

This is the most thorough account yet published of the rise of the Socialist Party to a position of prominence in the United States. It also contributes a

brief, but pointed, analysis of the demise of that party. The book is extremely well documented and annotated, and at the same time is quite readable.

The American Socialist Party reached its peak between 1910 and 1912. Dr. Kipnis, historian at the University of Kentucky, describes its culminating position as follows:

At the height of its power it had over one hundred and fifty thousand dues-paying members, published hundreds of newspapers, won about a million votes for its presidential candidate, elected more than one thousand of its members to political office, secured passage of a considerable body of legislation, won the support of one-third of the American Federation of Labor, and was instrumental in organizing the Industrial Workers of the World (p. 5).

The story of the Socialist Party as outlined here, is a story of extreme factionalism, with the battles between the Left and Right wings of the party occupying more space than the struggle against the common capitalist enemy. In the factional alignments the Center is portrayed as shifting away from support of the Left in the years 1905-6 and ultimately combining with the Right wing to give the latter control of the party.

Ideologically, these internecine battles resolve into a fight between those who believe in step-at-a-time, evolutionary socialism (the Right), and those who believe in a more dynamic, revolutionary variety. The former capture the party organization and elect most men to public office, but Dr. Kipnis, whose sympathies lie with the Left, and especially with William D. Haywood and the I.W.W., indicates that it was Left wing militancy and activity from 1909-12 which were greatly responsible for the Socialist successes in those years (i.e., pp. 335, 424). Readers may doubt that the text supports this conclusion. Two leaders of the Right wing, Victor Berger of Milwaukee, and Morris Hillquit of New York, become the particular whipping boys of the author. Berger is especially taken to task for his middle-class, reformist views, although he was the first Socialist to be elected to Congress. Berger receives considerably more space in the book than even Eugene V. Debs, the perennial presidential candidate, and the need of a biography of this immigrant political leader now becomes clearly apparent; it is to be hoped that the Berger family will soon allow historians access to the papers in their possession.

It was under the Berger, reformist platform, that the Socialist Party gave up its emphasis on Marxism and became, for all intents and purposes, a part of the Progressive movement. Dr. Kipnis decries this tendency. He writes: "The Socialist Party had been organized to combat the institutions, practices, and values of monopoly capitalism. Instead it had been corrupted by them" (p. 429). Dr. Kipnis fails to explain how the Socialist Party could have operated effectively otherwise in its American milieu.

Marvin Wachman, Colgate University.

The Great Frontier, by Walter Prescott Webb. Boston. Houghton Mifflin. 1952. pp. xiii, 434. \$5.00.

This is the fourth of a series of books on the frontier. In his three earlier books Professor Webb began with Texas, the second treated the Great

Plains, the third shifted to the national scene. Now this might be considered the culmination of a life's work devoted to the study of the Turner hypothesis. Here is an attempt to apply the theory of the frontier on an international basis, or as he calls it, world frontiers.

This book is based on the hypothesis that the Great Frontier has been one of the primary factors in modern history. The acquisition of land and wealth resulting from the discoveries and colonization efforts beginning in the sixteenth century really determined the course of modern history, and the end of available land at the present time will bring about an entirely new age accompanied by basic changes in the nature of the institutions which grew up during the boom period of the Great Frontier. This idea of a "boom hypothesis" of modern history is not new, but Professor Webb has succeeded in putting it in understandable language.

Those who were impressed by Professor Webb's great book on the Great Plains will be somewhat disappointed in the present work. It falls more into the category of a philosophy of history, than as a new contribution to historical knowledge. And in his philosophizing at times he wanders far astray. In fact one is almost tempted to think that some of the material is introduced for its own interest rather than its relation to the subject at hand. Not that the inclusion of this matter makes the book less readable. Another criticism might be that there is too much effort to put things into spectacular phrases, rather than to strive for exact terminology.

There are several very good charts which help explain the development of the hypothesis. One of the very interesting diagrams relates to the influence of the world frontier on literature. While many will consider this a controversial chapter, it is one of the better discussions of the book.

Regardless of your opinion of the frontier hypothesis, and there is growing opposition to it, you will find a wealth of information in this work. Some of the examples are fascinating, such as the explanation of why the English drive to the left and the Americans to the right. The book is very attractively printed, and well indexed. There is a good bibliography for each chapter, including both books and periodical articles.

E. R. Vollmar, Saint Louis University

Broadax and Bayonet, by Francis Paul Prucha. Madison, Wisconsin. State Historical Society of Wisconsin. 1953. pp. xii, 263. \$4.00.

Mr. Prucha's book with the dramatic title is concerned with the largely undramatic activities of the American army on the Frontier in the period from 1815 to the outbreak of the Civil War.

The area that the author proposes to cover is the region west of Lake Michigan. It involved approximately ten forts in what today embraces Wisconsin, Minnesota, Iowa, and Northern Illinois. Actually, the amount of attention accorded the two Illinois stations—Forts Dearborn and Armstrong—is so scant that they well might have been eliminated in favor of a more compact geographical treatment.

The army on this Frontier had a life that was far from being theatrical. Instead of scoring repeated glorious victories over savage Indian tribes, its work consisted of discouraging squatters, planting crops, chopping hay, cutting wood, building roads, nabbing bootleggers, and building forts. It would seem that these performances were as dull as they were unappreciated

by the nearby civilian settlers who had a "popular hostility to the regular army."

The author's extensive researches show that drinking was a favorite pastime of the wilderness soldiery. But despite the inclination of many to get sodden on whiskey, often there was a taste for the Better Life. Worth-while dramatics were seriously presented at some of the posts. There was a concern about education of the children. And fort libraries even saw the borrowing of books.

There are practically no individuals that stand out in this volume. A number of scattered references are made to Zachary Taylor, but he does not appear as a personality. This book is indeed the chronicle of the army, and not of any of the persons that were its component parts.

Mr. Prucha's bibliography is copious and critical. Footnotes abound. But to one who might be unfamiliar with the area treated, the maps on the end pages scarcely do justice to a scholarly work on a phase of the history of the American Frontier in the 19th Century.

Richard L. Beyer, Gannon College.

Red Man's America, by Ruth M. Underhill. Chicago. University of Chicago. 1953. pp. x, 400 \$5.50.

Many books have been published on the various subjects of Indian lore and history since the appearance of Hodge's great *Handbook*, but none have attempted to give us an over-all picture of Indian civilization for the whole of North America. The very enormity of the task discouraged the effort. Miss Underhill has dared to rush in where others feared to tread, and the result has been a work for which both sociologist and historian will be forever grateful. The author has combined a long period of study with actual field work in the service of the Indian to produce a work that gives a brief, but well written and accurate, sketch of the origins, backgrounds, and customs of the various North American tribes.

The many diagrams and maps of the book help for an understanding of the text, but most useful are the summaries at the end of each chapter. These summaries give such interesting details as the food, hunting method, clothing, equipment, etc., of each of the groups considered. It is thus much easier to see the relationships of the various tribes than would be possible by merely a language study.

Sympathy for the Indian is evident throughout the text. However, the present reviewer cannot endorse Miss Underhill's attitude toward the use of peyote, and the peyote cult. This seems based on maudlin sentimentality rather than the cold facts of the harm done by such practices. This peculiar approach has been characteristic of a number of the people in government service of the Indians. A good antidote would be for these people to spend a few hours listening to the missionaries who have devoted a lifetime to life on the reservations. There is no mention of the witch doctor cult that has shown some growth in popularity on certain reservations.

There is no other modern single volume that contains as much information on the subject of the Red Man as this present work. There are good bibliographies, and the work is well indexed. The text is readable and in an attractive format. The end papers contain maps of the language groups and

of the present reservations. For the school on a limited budget, and which one isn't, this book will be a good buy and serve as an answer to many of the problems in relation to the Red Man's America.

E. R. Vollmar, Saint Louis University.

Father Hecker and His Friends, by Joseph McSorley. St. Louis. Herder. 1952. pp. 304. \$3.95.

The history of the Catholic Church in the United States would be quite incomplete without the story of Father Isaac Hecker, and the founding of the Society of St. Paul. Though small in numbers the Paulists have exerted considerable influence on the American scene by their sermons, missions, and especially through their writings. The Society began with a group of five converts, men of outstanding ability and talent. They had originally belonged to the Redemptorists where they served as preachers of popular missions and retreats. Because they desired to limit their activity exclusively to the work of the conversion of non-Catholics in America, and because of differences with superiors, they left the Redemptorists, and with proper ecclesiastical approval formed the Society of St. Paul. It is the story of this organization and its development, led by Father Hecker, that is told in this book. A sketch is given of each of the five men involved, and the work of the whole group is traced through the background of the late nineteenth century and the early twentieth century.

Father McSorley tells his story well. Sympathetic though he is, he by no means lets his sympathies prevent him from giving a true picture. His documentation is admirable, both in its detail and in the quality of the sources to which he had access. Readers of American Church History cannot afford to miss this work.

Robert V. Callen, St. Mary's College.

Fort Union: New Mexico. By F. Stanley. Denver. World Press, Inc. 1953. pp. xiii, 305. \$5.00.

When the United States acquired New Mexico in 1848, she inherited the age old struggle between the Indians and the white population, and to this was added the difficulty of establishing friendly relation with the Spanish settlers. Fort Union was founded in 1851 to help answer these two problems and to serve as protection for the Santa Fe trail. The two branches of the trail converged at Fort Union and went on together to Santa Fe.

Drawing his material from diaries of the Fort and official communications Mr. Stanley has given a very vivid picture of the life at a frontier post in the southwest. Unfortunately the work is not documented, and thus much of the author's research is lost. At times, too, it is difficult to distinguish between the author's own text and that of the original documents. This is unfortunate because the casual reading of the book alone will impress the reader with the tremendous amount of work that must have gone into its preparation.

A very good feature of the book is the description of the daily life of the ordinary soldier, though the great leaders also are given due credit. His work, his amusements, his family life are all described. Also included are

several of the more stirring events of what the author calls "New Mexico's greatest military post." For forty years the post served its purpose well, despite continual talk about relocation and abandonment. The only thing not to get mention in the book is the religious life on the post. The Jesuits of the New Mexico-Colorado Mission had a parish of considerable importance at Fort Union for a number of years—certainly they must have had some dealings with the soldier population. The Post was officially closed in 1891, bringing to an end a great chapter in the military history of the Southwest.

E. R. Vollmar, Saint Louis University.

Bourbon Democracy of the Middle West, 1865-1896, by Horace Samuel Merrill. Baton Rouge. Louisiana State University Press. 1953. pp. 305. \$4.50.

Bourbon Democracy of the Middle West, 1865-1896 is an account of the struggle of "the people" to regain control of the Democratic Party from "the interests" in the thirty years between the Civil War and the nomination of Bryan. The battleground was the large, fluctuating agricultural area between Ohio and Nebraska, and the issues were monopoly control and soft money. The author is hesitant on the latter issue, but it is his contention that the failure of the farmers, who were the victims and natural foes of monopoly, to assert their political strength left the nation without any moderating influence on the industrial expansion of those years.

Professor Merrill understands practical politics from the township to the milling executive's office. He presents a lively account of the alignments and personalities involved, especially in Wisconsin and Minnesota, where he seems most at home. The volume is rich in primary material, has a good index and bibliography, and is provided with photographs and cartoons.

The author, however, does not yet have control of his language. He uses "Democracy" and "Radical" in their historical senses without regard for their current connotations, and, on the other hand, he uses "puritan" to mean a prohibitionist, a nativist, or even an honest man. His vocabulary is shamelessly loaded against the "Bourbons"; he writes of "railroad extortionists" and of a "Great Northern Railroad and Republican den." He is guilty of some coy expressions ("Alas and alack!" and "y-clept"), and there are two sentences which, in today's climate of opinion, have a disturbing ring. These speak of "the politico-business partnership which exploited the masses" and the "unprecedented growth of labor organizations [which] had the aspect of a genuine class movement."

The author permits himself to look forward beyond Bryan to Wilson and Roosevelt and the final discomfiture of the "Bourbons" in the Democratic Party, but he does not take sufficient note of the fact that after the decline of Bryan the great voices of Middle-Western liberalism were Republican or third-party voices, not Democratic.

Charles T. Dougherty, Saint Louis University.

The Life of Archbishop John Ireland, by James H. Moynihan. New York. Harper and Brothers. 1953. pp. xii, 441. \$5.00.

Seldom do we have in the space of one year two biographies of such value and import as Father Moynihan's *Life of Archbishop John Ireland*, and Father Ellis's *Life of James Cardinal Gibbons*. These two great leaders of

the Church in America have long deserved the honor paid to them. The objection most scholars will have is that space became such an obstacle to Father Moynihan that he has failed to give us the entire picture of the great Archbishop of St. Paul. Would that he had been as free with detail as Father Ellis was, who at times introduces matters with which Gibbons was either indirectly, or even remotely connected, but gives a good picture of the man and the Church of his times. It is unfortunate that the dust jacket carries the phrase "a definitive biography". Had the designer even so much as read the preface of the book he would have known that the work was not intended as definitive. It is unfortunate that authors must suffer for publicity department incompetence.

What Father Moynihan has said is good. He gives a series of pictures of the work of Archbishop Ireland and a sketch of some of the controversies in which he was involved. Needless to say that there is much more to be said on these matters, and that the biographer at times lets his enthusiasm and admiration prejudice his treatment. It is of interest to know that the Ireland correspondence was not destroyed, and that it was used extensively in the preparation of this biography. The place of the notes at the end of the book is a disservice to scholars, but there is a good general bibliography.

E. R. Vollmar, Saint Louis University.

In Charity Unfeigned: The Life of Father Francis X. Pierz, by William P. Furlan. Paterson, N. J. St. Anthony Guild. 1952. pp. 280. \$3.50.

Here is a long called-for volume of Catholic biography and incidentally, yet richly, of Minnesota history. But here is another volume, handsome and juicy, *Minnesota*, of the American Guide Series, in which the name of Father Pierz is nowhere to be found. The reader of "*In Charity Unfeigned*" will wonder whether the state of Minnesota owes its present true greatness to any one man more than to this newly discovered Christian hero. The omission of that worthy name by the editors of *Minnesota* was a blameless oversight. Their default indicates how valuable a contribution to history and to truth is Father Furlan's book.

The publishers are the St. Anthony Guild, and, like all their output the volume is a thing of beauty; the composition hides its excellence under its naturalness; and the story is entrancing. The title is taken from the motto in the coat of arms of the recently deceased venerable Bishop Busch of St. Cloud, and the dedication is to the same prelate as an exemplar of Charity Unfeigned. The entire work presents Father Pierz as Charity Unfeigned even to the limits of Christian magnanimity.

In his native Carniola (now Yugoslavia) Fr. Pierz dedicated his life, at the call of the saintly Bishop Baraga, to the salvation of the American Indians. Before his arrival at his first mission station in Michigan, he had already gone through such dangers that he could almost repeat St. Paul's list of "perils by land and perils by sea", but he was now to encounter another and another, not listed there: the biting blizzard blasts that cut through the flesh to the marrow of the bone, and the hazards of being lost in wildernesses infested with wolves.

Fr. Furlan early touches on these sufferings, but, although they were recurrent through all the long years of Pierz's pastoral labors, they are muted until the tragedy in Minnesota of the freezing to death of Father

Lawrence Lautisher, returning from a sick call, the first young man to come to the help of Fr. Pierz among the savages. It is interesting to know that Fr. John Ireland, the future archbishop, was preparing to go as assistant when the call for a chaplain for Minnesota troops in our Civil War diverted his life's career.

Our author holds himself closely to what was primary in the life of Father Pierz, the seeking first the things that are God's; but, when so seeking, all other things were added to him. These other things are the subject matter of present day historical writing. Fr. Furlan does not neglect them, and in this historical report they call for special attention.

The book, *Minnesota*, that mentions Fr. Pierz not at all, names the Episcopal Bishop Whipple ten times, and ever with encomium, even with affection, the "beloved Bishop". With no intention of derogating from his praises as a citizen of extraordinary merit, it seems permissible, for brevity sake, to place Fr. Pierz's accomplishments, in those "other things" in juxtaposition with those of the Bishop, so that, while viewing the bishop's great merits, it may become clear in what manner the historians and the people of Minnesota should appreciate the forgotten priest.

Twice the bishop appears as a writer—of magazine articles. Fr. Pierz was a writer; before coming to America, he published *The Carniolan Gardiner*, a book still listed as authoritative. Here, he wrote a small *History of the Indians*, as an appendix to which there is "A Brief Description of Minnesota". Happily, Fr. Furlan prints this Description, in the last eleven pages, small print, of his volume. It would be incredible how modern the old missionary could be did we not have this demonstration.

We read, in the Minnesota Guide Book, that Bishop Whipple founded shortly after his coming in 1860 a splendid educational plant in Faribault. There today stand his darling and most enduring monuments, the vine covered buildings of his three schools, a Divinity School, a Military Academy and St. Mary's Hall, a school for girls. Paralleling this item may be placed the fact that it was Father Pierz's crying for help that eventuated in the coming of the Benedictines and the founding of St. John's University, chartered 1857. Both books enlarge on the Benedictines; our author chiefly on the providential aspect of their coming; *Minnesota* on the great expansion of their work and their national influence in the spread of devotion to the Church's liturgy.

Both men had some slight knowledge of medicine and are praised for their attention to the corporal as well as the spiritual works of mercy. Fr. Pierz alone was also an agriculturist.

The bishop made a trip to Europe and not only the presidents but Queen Victoria "sought his counsel". Fr. Pierz very early secured from President Tyler that his Indians might own property as individuals, and after 1865 when he was appointed as an immigration commissioner, his opinions must have been sought by the heads of states. He did not return from Europe empty handed. He brought back with him groups of ecclesiastics that were an inestimable contribution to church and state. Among these were James Trobec, a future Bishop of St. Cloud and the future Archbishop Katser.

The outstanding event in the life of Bishop Whipple was the bold Christian position he took when the entire citizenry of the state is said to have

become something of a howling mob crying for blood at the time of the New Ulm massacre. Three hundred and three captive Sioux, in requital, had been condemned to be hanged. President Lincoln, it is thought at the intercession of Bishop Whipple, reduced the number to thirty-eight. This outbreak of the Sioux in 1862 was one of the most terrifying and destructive of life and property in Indian annals. But only for Fr. Pierz it might have been twice as destructive. The Chippewa were about to join their forces with those of Little Crow, the redoubtable Siouxan leader. In fact, some of their bands were already looting, and their great chief, Hole in the Day, though ordered to be arrested, was boldly defying the officers of the law. He had a line drawn before his tent over which no white man might step and live. When all others had despaired of bringing him to a conference with the authorities, Fr. Pierz, almost in a spirit of fun, had two Indians lift him over the line of danger, and by his eloquence brought the sullen chief to terms. How many lives were saved by this act of bravery must be left to conjecture.

The bishop is called "Apostle of the Indians"; his writings and long years of earnest advocacy in their behalf justify the title. Fr. Pierz labored for the civilization and the salvation of the Indians for sixteen years in Michigan and twenty-one in Minnesota, enduring all this time every species of hardship of savage life; but his title for the historian is only "Father of St. Cloud." It is a noble and a proper title. The records of his Indian labors have vanished in the invisible mansions of eternity, but his labors here below — has any man's been more fruitful in Minnesota's upbuilding? — are conspicuous in the numberless hosts whom he attracted into the state, families of unsurpassed honesty, loyalty, and industry; sturdy, law-abiding, industrious, and God-fearing men, women and children, the strongest pillars of state.

In the next edition of *Minnesota*, the bishop may add to his ten references; but, now that Fr. Furlan has revealed some of the achievements Fr. Pierz, his name will not be missing in the roster of the worthies of the state.

Fr. Pierz lived to the age of ninety-five. His last years were spent in his native Carniola. The last picture in Fr. Furlan's volume shows him telling stories about the American Indians to the boys of Jjubljana.

This volume, Bishop Bartolome, present bishop of St. Cloud, points out, is not a mere biography. It is a spiritual elixir. Readers, cleric as well as lay, will be humbled and at the same time strengthened when they behold this modest frame of kindred flesh seeking voluntarily through a long course of years such sufferings as make their own in comparison seem trivial. Charity Unfeigned is a divine armor.

Laurence J. Kenny, Saint Louis University.

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